

c. Civic Uses

College and University Facilities  
Cultural Services  
Day Care Services (General)  
Day Care Services (Limited)  
Day Care Services (Commercial)  
Emergency Residential Care Services (Limited)  
Emergency Residential Care Services (General)  
Guidance Services  
Hospital Services (Limited)  
Local Utility Services  
Maintenance and Service Facilities  
Private Primary Educational Facilities  
Private Secondary Educational Facilities  
Public Primary Educational Facilities  
Public Secondary Educational Facilities  
Religious Assembly  
Safety Services

2553 CONDITIONAL USES

The following use types may be allowed, subject to approval as provided by Section 6200.

a. Commercial Uses

Outdoor Entertainment

b. Civic Uses

Club or Lodge  
Hospital Services (General)  
Parking Facilities  
Transportation Terminals

2554 SITE DEVELOPMENT REGULATIONS

Each site in the CS District shall be subject to the following site development regulations.

<u>Feature</u>	<u>Regulation</u>
Lot Size	Minimum lot area, 5,750 square feet.
Lot Width	Minimum lot width, 50 feet.
Floor Area Ratio	Maximum floor area ratio, 2.0 to 1.
Height	Maximum height, 60 feet. For property located across the street from, or adjoining, or

within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.

Front Yard

Minimum required setback, 10 feet. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.

Street Side Yard

Minimum required setback, 10 feet. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.

Interior Side Yard

Minimum required setback, none. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.

Rear Yard

Minimum required setback, none. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.

Building Coverage

Maximum coverage, 95 percent of the lot area.

Impervious Coverage

Maximum coverage, 95 percent of the lot area.

2560 CS-1 COMMERCIAL-LIQUOR SALES DISTRICT

2561 PURPOSES The CS-1 Commercial-Liquor Sales District is intended predominately for commercial and industrial activities of a service nature which typically have operating characteristics or traffic service requirements generally incompatible with residential environments, and specifically includes liquor sales as a permitted use.

2562 PERMITTED USES

The following use types are permitted.

a. Commercial Uses

Administrative and Business Offices  
Agricultural Sales and Services  
Arts and Crafts Studio (Limited)  
Arts and Crafts Studio (General)  
Automotive Rentals  
Automotive Repair Services  
Automotive Sales  
Automotive Washing  
Building Maintenance Services  
Business Support Services  
Business or Trade School  
Campground  
Commercial Off-Street Parking  
Communications Services  
Construction Sales and Services  
Consumer Convenience Services  
Consumer Repair Services  
Convenience Storage  
Equipment Sales  
Equipment Repair Services  
Exterminating Services  
Financial Services  
Food Sales  
Funeral Services  
General Retail Sales  
Hotel-Motel  
Indoor Sports and Recreation  
Indoor Entertainment  
Kennels  
Laundry Services  
Liquor Sales  
Medical Offices  
Outdoor Sports and Recreation  
Pawn Shop Services  
Personal Improvement Services  
Personal Services  
Pet Services  
Professional Offices  
Research Services  
Restaurant (Convenience)  
Restaurant (Limited)  
Restaurant (General)  
Service Station  
Vehicle Storage  
Veterinary Services

b. Industrial Uses

Custom Manufacturing  
Limited Warehousing and Distribution

c. Civic Uses

College and University Facilities  
Cultural Services  
Day Care Services (Limited)  
Day Care Services (Commercial)  
Day Care Services (General)  
Emergency Residential Care Services (Limited)  
Emergency Residential Care Services (General)  
Guidance Services  
Hospital Services (Limited)  
Local Utility Services  
Maintenance and Service Facilities  
Private Primary Educational Facilities  
Private Secondary Educational Facilities  
Public Primary Educational Facilities  
Public Secondary Educational Facilities  
Religious Assembly  
Safety Services

2563 Conditional Uses

The following use types may be allowed, subject to approval as provided by Section 6200.

a. Commercial Uses

Cocktail Lounge  
Outdoor Entertainment

b. Civic Uses

Club or Lodge  
Hospital Services (General)  
Parking Facilities  
Transportation Terminals

2564 Site Development Regulations

Each site in the CS-1 District shall be subject to the following site development regulations.

<u>Feature</u>	<u>Regulation</u>
Lot Size	Minimum lot area, 5,750 square feet.

Lot Width	Minimum lot width, 50 feet.
Floor Area Ratio	Maximum floor area ratio, 2.0 to 1.
Height	Maximum height, 60 feet. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.
Front Yard	Minimum required setback, 10 feet. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.
Street Side Yard	Minimum required setback, 10 feet. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.
Interior Side Yard	Minimum required setback, none. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.
Rear Yard	Minimum required setback, none. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.
Building Coverage	Maximum coverage, 95 percent of the lot area.
Impervious Coverage	Maximum coverage, 95 percent of the lot area.

2575 CH Highway Commercial Services District

2576 Purposes

The CH Highway Commercial Services District is intended predominately for major mixed use developments of a service nature which typically have operating and traffic generation characteristics requiring location at the intersection of state maintained highways, excluding scenic arterials. High residential densities are expected. Site

development regulations and performance standards are intended to ensure adequate access to and from all uses, and to permit combinations of office, retail, commercial and residential uses within a single development.

CH applications shall be considered along the following highway corridors: IH-35, US 183, US 290 (including Ben White) SH 71, FM 1325 north of US 183, and along that portion of Loop 1 beginning at a line perpendicular to the center line of the right-of-way of Loop 1 and 400 feet north of the northernmost existing right-of-way line of U.S. Highway 183. Under no circumstances shall CH zoning be allowed on Loop 1 south of the area described by the preceding sentence.

2577 Permitted Uses

The following use types are permitted.

a. Residential Uses

Multiple Family Residential  
Group Residential  
Townhouse Residential  
Condominium Residential

b. Commercial Uses

Administrative and Business Offices  
Agricultural Sales and Services  
Automotive Rentals  
Automotive Repair Services  
Automotive Sales  
Automotive Washing  
Arts and Craft Studio (Limited)  
Arts and Craft Studio (General)  
Building Maintenance Services  
Business Support Services  
Business or Trade School  
Campground  
Commercial Off-Street Parking  
Communications Services  
Construction Sales and Services  
Consumer Convenience Services  
Consumer Repair Services  
Convenience Storage  
Equipment Sales  
Equipment Repair Services  
Exterminating Services  
Financial Services  
Food Sales  
Funeral Services  
General Retail Sales

Hotel-Motel  
Indoor Sports and Recreation  
Indoor Entertainment  
Kennels  
Laundry Services  
Liquor Sales  
Medical Offices  
Outdoor Sports and Recreation  
Pawn Shop Services  
Personal Improvement Services  
Personal Services  
Pet Services  
Professional Offices  
Research Services  
Restaurant (Convenience, Limited, or General)  
Service Station  
Vehicle Storage  
Veterinary Services

c. Industrial Uses

Custom Manufacturing  
Limited Warehousing and Distribution

d. Civic Uses

College and University Facilities  
Cultural Services  
Day Care Services (General)  
Day Care Services (Limited)  
Day Care Services (Commercial)  
Emergency Residential Care Services (Limited)  
Emergency Residential Care Services (General)  
Guidance Services  
Hospital Services (Limited)  
Local Utility Services  
Maintenance and Service Facilities  
Private Primary Educational Facilities  
Private Secondary Educational Facilities  
Public Primary Educational Facilities  
Public Secondary Educational Facilities  
Religious Assembly  
Safety Services

2578 Conditional Uses

The following use types may be allowed, subject to approval as provided by Section 6200.

a. Commercial Uses

Cocktail Lounge  
Outdoor Entertainment

b. Civic Uses

Club or Lodge  
Hospital Services (General)  
Parking Facilities  
Transportation Terminals

2579 SITE DEVELOPMENT REGULATIONS

- a. Each site in the CH District shall be subject to the following site development regulations.

<u>Feature</u>	<u>Regulation</u>
Lot Size	Minimum lot area, 20,000 square feet.
Lot Width	Minimum lot width, 100 feet.
Residential Density	No requirement.
Floor Area Ratio	Maximum floor area ratio, 3.0 to 1.0.
Height	Maximum height, 120 feet. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.
Front yard	Minimum required setback, 10 feet. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.
Street Side Yard	Minimum required setback, 10 feet. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.



Interior Side Yard	Minimum required setback, none. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.
Rear Yard	Minimum required setback, none. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.
Building Coverage	Maximum coverage, 85 percent of the lot area.
Impervious Coverage	Maximum coverage, 85 percent of the lot area.
b. When used with a PDA combining district, the CH District shall be subject to the following site development regulations.	
Lot Size	Minimum lot size, 10 acres.
Floor Area Ration	Maximum floor area ration, 4.0 to 1.0.
Height	Maximum height, 200 feet. For property located across from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.
Front Yard	Minimum required setback, 10 feet. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.
Street Side Yard	Minimum required setback, 10 feet. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.

Interior Side Yard	Minimum required setback, none. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.
Rear Yard	Minimum required setback, none. For property located across the street from, or adjoining, or within 540 feet of property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.
Building Coverage	Maximum coverage, 55 percent of the lot area.
Impervious Coverage	Maximum coverage, 55 percent of the lot area.

## 2600 INDUSTRIAL DISTRICTS

### 2605 GENERAL PURPOSES OF INDUSTRIAL DISTRICTS

In addition to the objectives outlined in Section 1015, the Industrial Districts are included in the Zoning Regulations to achieve the following purposes:

- a. To reserve appropriately located areas for industrial use and protect these areas from intrusion by dwellings and other inharmonious uses.
- b. To protect residential, commercial, and nuisance-free non-hazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectionable influences and from fire, explosion, radiation and other hazards incidental to certain industrial uses.
- c. To ensure adequate access, off-street parking and loading, and to minimize traffic congestion and other potential impacts on adjacent or nearby land uses.
- d. To facilitate the planning for and provision of transportation facilities, utility services, and other public and neighborhood serving facilities commensurate with traffic generation, public service requirements, and commercial needs generated by nearby neighborhoods and by the City as a whole.

2625 IP INDUSTRIAL PARK DISTRICT

2626 PURPOSES

The IP Industrial Park District is intended as an area for limited commercial services, research and development, administrative facilities, and manufacturing uses that can meet high development and performance standards, and typically are located on large sites or in planned industrial centers.

2627 PERMITTED USES

The following use types are permitted.

a. Commercial Uses

Administrative and Business Offices  
Agricultural Sales and Services  
Automotive Rentals  
Automotive Sales  
Automotive Repair Services  
Arts and Craft Studio (Limited)  
Arts and Craft Studio (General)  
Arts and Craft Studio (Industrial)  
Building Maintenance Services  
Business Support Services  
Business or Trade School  
Communications Services  
Construction Sales and Services  
Convenience Storage  
Exterminating Services  
Financial Services  
Indoor Entertainment  
Indoor Sports and Recreation  
Medical Offices  
Outdoor Sports and Recreation  
Personal Services  
Professional Offices  
Research Services  
Restaurant (Convenience)  
Restaurant (Limited)  
Restaurant (General)  
Service Station

b. Industrial Uses

Custom Manufacturing  
General Warehousing and Distribution  
Light Manufacturing  
Limited Warehousing and Distribution

c. Civic Uses

Cultural Services  
Day Care Services (Commercial)  
Emergency Residential Care Service (Limited)  
Emergency Residential Care Service (General)  
Local Utility Services  
Maintenance and Service Facilities  
Railroad Facilities  
Safety Services

2628 CONDITIONAL USES

The following use types may be allowed, subject to approval as provided by Section 6200.

a. Commercial Uses

Outdoor Entertainment

b. Civic Uses

Club or Lodge  
Parking Facilities  
Transportation Terminals

2629 SITE DEVELOPMENT REGULATIONS

Each site in the IP District shall be subject to the following site development regulations.

<u>Feature</u>	<u>Regulation</u>
Lot Size	Minimum lot area, 43,560 square feet.
Lot Width	Minimum lot width, 100 feet.
Floor Area Ratio	Maximum floor area ratio, 1.0 to 1.
Height	Maximum height, 60 feet. For property located across the street from, or adjoining; or within 540 feet of property zoned or used SF-5 or more restrictive, refer to Compatibility Standards beginning with Section 4700.
Front Yard	Minimum required setback, 25 feet. For property located across the street from, or adjoining; or within 540 feet of property zoned or used SF-5 or more restrictive, refer to Compatibility Standards beginning with Section 4700.

Street Side Yard	Minimum required setback, 25 feet. For property located across the street from, or adjoining; or within 540 feet of property zoned or used SF-5 or more restrictive, refer to Compatibility Standards beginning with Section 4700.
Interior Side Yard	Minimum required setback, 50 feet on any portion of a site within 100 feet of property classified or used as LA, RR, SF-1, SF-2, SF-3, SF-4, SF-5, or SF-6; reduced to 25 feet within 100 feet of property classified or used as MF-1, MF-2, MF-3, MF-4, MF-5, MF-6 or MH; reduced to 15 feet within 100 feet of property classified or used as NO, LO, GO, LR, or GR; reduced to 10 feet within 100 feet of property classified or used as L, CBD or less restrictive. For property located across the street from, or adjoining; or within 540 feet of property zoned or used SF-5 or more restrictive, refer to Compatibility Standards beginning with Section 4700.
Rear Yard	Minimum required setback, 50 feet on any portion of a site within 100 feet of property classified or used as LA, RR, SF-1, SF-2, SF-3, SF-4, SF-5 or SF-6; reduced to 25 feet within 100 feet of property classified or used as MF-1, MF-2, MF-3, MF-4, MF-5, MF-6 or MH; reduced to 15 feet within 100 feet of property classified or used as NO, LO, GO, LR, or GR; reduced to 10 feet within 100 feet of property classified or used as L, CBD or less restrictive. For property located across the street from, or adjoining; or within 540 feet of property zoned or used SF-5 or more restrictive, refer to Compatibility Standards beginning with Section 4700.
Building Coverage	Maximum coverage, 50 percent of the lot area.
Impervious Coverage	Maximum coverage, 80 percent of the lot area.

2640 MI MAJOR INDUSTRY DISTRICT

2641 PURPOSES

The MI Major Industry District is intended as an area for commercial services, research and development, administrative facilities, and manufacturing uses that are typically located on large sites planned for major industrial development.

2642 PERMITTED USES

The following use types are permitted.

a. Commercial Uses

- Administrative and Business Offices
- Arts & Craft Studio (Industrial)
- Arts & Craft Studio (Limited)
- Arts & Craft Studio (General)
- Agricultural Sales and Services
- Automotive Repair Services
- Automotive Rentals
- Automotive Sales
- Automotive Washing
- Building Maintenance Services
- Business Support Services
- Business or Trade School
- Commercial Off-street Parking
- Communications Services
- Construction Sales and Services
- Consumer Convenience Services
- Convenience Storage
- Equipment Sales
- Equipment Repair Services
- Financial Services
- Food Sales
- General Retail Sales
- Hotel-Motel
- Indoor Entertainment
- Indoor Sports and Recreation
- Medical Offices
- Outdoor Sports and Recreation
- Personal Improvement Services
- Personal Services
- Professional Offices
- Research Services
- Restaurant (Convenience)
- Restaurant (Limited)
- Restaurant (General)
- Service Station
- Vehicle Storage

b. Industrial Uses

Basic Industry  
Custom Manufacturing  
General Warehousing and Distribution  
Light Manufacturing  
Limited Warehousing and Distribution

c. Civic Uses

Cultural Services  
Day Care Services (Commercial)  
Emergency Residential Care Services (Limited)  
Emergency Residential Care Services (General)  
Local Utility Services  
Maintenance and Service Facilities  
Railroad Facilities  
Safety Services

2643 CONDITIONAL USES

The following use types may be allowed, subject to approval as provided by Section 6200.

a. Commercial Uses

Outdoor Entertainment  
Scrap and Salvage Services

b. Civic Uses

Club or Lodge  
Parking Facilities  
Transportation Terminals

2644 SITE DEVELOPMENT REGULATIONS

Each site in the MI District shall be subject to the following site development regulations:

<u>Feature</u>	<u>Regulation</u>
Lot Size	Minimum lot area, 50 acres.
Lot Width	Minimum lot width, 250 feet.
Floor Area Ratio	Maximum floor area ratio, 1.0 to 1.

Height	<p>Maximum Height, 120 feet, but limited to one foot of height for each four feet of distance from any property classified or used as LA, RR, SF-1, SF-2, SF-3, SF-4, SF-5, or SF-6. Distance and height shall be measured from each point on the structure excluding roof overhang. Distance is measured horizontally to a plain perpendicular to the property line. For property located across the street from, or adjoining, or within 540 feet of property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.</p>
Front Yard	<p>No requirement. For property located across the street from, or adjoining, or within 540 feet of property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.</p>
Street Side Yard	<p>No requirement. For property located across the street from, or adjoining, or within 540 feet of property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.</p>
Interior Side Yard	<p>Minimum required setback, 50 feet on any portion of property classified or used as LA, RR, SF-1, SF-2, SF-3, SF-4, SF-5, or SF-6; reduced to 25 feet within 100 feet of property classified or used as MF-1, MF-2, MF-3, MF-4, MF-5, MF-6 or MH; reduced to 15 feet within 100 feet of property classified or used as NO, LO, GO, LR, or GR; reduced to 10 feet within 100 feet of property classified or used as L, CBD or less restrictive. For property located across the street from, or adjoining, or within 540 feet of property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.</p>
Rear Yard	<p>Minimum required setback, 50 feet on any portion of property classified or used as LA, RR, SF-1, SF-2, SF-3, SF-4, SF-5, SF-6; reduced to 25 feet within 100 feet of</p>



property classified or used as MF-1, MF-2, MF-3, MF-4, MF-5, MF-6 or MH; reduced to 15 feet within 100 feet or property classified or used as NO, LO, GO, LR, or GR; reduced to 10 feet within 100 feet of property classified or used as L, CBD or less restrictive. For property located across the street from, or adjoining, or within 540 feet of property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.

Building Coverage	Maximum coverage, 75 percent of the lot area.
Impervious Coverage	Maximum coverage, 80 percent of the lot area.

2650 LI LIMITED INDUSTRIAL SERVICES DISTRICT

2651 PURPOSES

The LI Limited Industrial Services District is intended as an area primarily for commercial services and limited manufacturing uses, generally on moderately sized sites.

2652 PERMITTED USES

The following use types are permitted.

a. Commercial Uses

- Administrative and Business Offices
- Agricultural Sales and Services
- Arts and Craft Studio (Limited)
- Arts and Craft Studio (General)
- Arts and Craft Studio (Industrial)
- Automotive Repair Services
- Automotive Rentals
- Automotive Sales
- Automotive Washing
- Building Maintenance Services
- Business Support Services
- Business or Trade School
- Campground
- Commercial Off-street Parking
- Communications Services
- Construction Sales and Services
- Consumer Convenience Services
- Convenience Storage
- Equipment Sales

Equipment Repair Services  
Exterminating Services  
Financial Services  
Food Sales  
Funeral Services  
General Retail Sales  
Hotel-Motel  
Indoor Entertainment  
Indoor Sports and Recreation  
Kennels  
Laundry Services  
Medical Offices  
Outdoor Sports and Recreation  
Personal Improvement Services  
Personal Services  
Professional Offices  
Research Services  
Restaurant (Convenience)  
Restaurant (Limited)  
Restaurant (General)  
Service Station  
Vehicle Storage  
Veterinary Services

b. Industrial Uses

Basic Industry  
Custom Manufacturing  
General Warehousing and Distribution  
Light Manufacturing  
Limited Warehousing and Distribution

c. Civic Uses

Cultural Services  
Day Care Services (Commercial)  
Emergency Residential Care Services (Limited)  
Emergency Residential Care Services (General)  
Local Utility Services  
Maintenance and Service Facilities  
Railroad Facilities  
Safety Services

## 2653 CONDITIONAL USES

The following use types may be allowed, subject to approval as provided by Section 6200.

### a. Commercial Uses

Outdoor Entertainment  
Scrap and Salvage Services

### b. Civic Uses

Club or Lodge  
Parking Facilities  
Transportation Terminals

## 2654 SITE DEVELOPMENT REGULATIONS

Each site in the LI District shall be subject to the following site development regulations, except as provided by Section 2655.

<u>Feature</u>	<u>Regulation</u>
Lot Size	Minimum lot area, 5,750 square feet.
Lot Width	Minimum lot width, 50 feet.
Floor Area Ratio	Maximum floor area ratio, 1.0 to 1.
Height	Maximum height, 60 feet. For property located across the street from, or adjoining, or within 540 feet of property zoned or used SF-5 or more restrictive, refer to Compatibility Standards beginning with Section 4700.
Front Yard	No requirement. For property located across the street from, or adjoining, or within 540 feet of property zoned or used SF-5 or more restrictive, refer to Compatibility Standards beginning with Section 4700.
Street Side Yard	No requirement. For property located across the street from, or adjoining, or within 540 feet of property zoned or used SF-5 or more restrictive, refer to Compatibility Standards beginning with Section 4700.
Interior Side Yard	Minimum required setback, 50 feet on any portion of property classified or used as LA, RR, SF-1, SF-2, SF-3, SF-4, SF-5, or SF-6; reduced to 25 feet within 100 feet of property

classified or used as MF-1, MF-2, MF-3, MF-4, MF-5, MF-6 or MH; reduced to 15 feet within 100 feet of property classified or used as NO, LO, GO, LR, or GR; reduced to 10 feet within 100 feet of property classified or used as L, CBD or less restrictive. For property located across the street from, or adjoining, or within 540 feet of property zoned or used SF-5 or more restrictive, refer to Compatibility Standards beginning with Section 4700.

Rear Yard

Minimum required setback, 50 feet on any portion of property classified or used as LA, RR, SF-1, SF-2, SF-3, SF-4, SF-5, SF-6; reduced to 25 feet within 100 feet of property classified or used as MF-1, MF-2, MF-3, MF-4, MF-5, MF-6 or MH; reduced to 15 feet within 100 feet of property classified or used as NO, LO, GO, LR, or GR; reduced to 10 feet within 100 feet of property classified or used as L, CBD or less restrictive. For property located across the street from, or adjoining, or within 540 feet of property zoned or used SF-5 or more restrictive, refer to Compatibility Standards beginning with Section 4700.

Building Coverage

Maximum coverage, 75 percent of the lot area.

Impervious Coverage

Maximum coverage, 80 percent of the lot area.

2700 SPECIAL PURPOSE DISTRICTS

2710 DR DEVELOPMENT RESERVE DISTRICT

2711 PURPOSES

The DR Development Reserve District is intended to prevent isolated, inappropriate, or premature uses from locating on lands for which adequate public services and facilities are unavailable, or for which a determination of the most appropriate zoning district is precluded by a lack of economic, demographic, geographic, or other data customarily utilized in establishment of permanent district classifications, or for which land use and urban development policies have not been completed. It is intended that the Development Reserve District shall be replaced by other district classifications when such limiting conditions no longer apply. Only those uses which are of an unquestionably interim nature, or will not prematurely commit the land to a particular use pattern or intensity of development, are allowable within the Development Reserve District.

2712 PERMITTED USES

The following use types are permitted.

a. Residential Uses

Single Family Residential

b. Agricultural Uses

Animal Production  
Crop Production  
Horticulture

2713 CONDITIONAL USES

The following use types may be allowed, subject to approval as provided by Section 6200.

a. Commercial Uses

Kennels  
Stables

b. Industrial Uses

Resource Extraction

c. Civic Uses

Club or Lodge

d. Agricultural Uses

Support Housing

2714 SITE DEVELOPMENT REGULATIONS

Each site in the DR Development Reserve District shall be subject to the following site development regulations.

<u>Feature</u>	<u>Regulation</u>
Lot Area	Minimum lot area, 10 acres.
Lot Width	Minimum lot width, 100 feet.
Residential Density	Not more than one dwelling unit per lot.
Floor Area Ratio	No requirement.
Height	Maximum height, 35 feet. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.
Front Yard	Minimum required setback, 25 feet. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.
Street Yard	Minimum required setback, 25 feet. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.
Interior Yard	Minimum required setback, 10 feet. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.
Rear Yard	Minimum required setback, 10 feet. For property located across the street from, or adjoining, or within 540 feet

of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.

Building Coverage      Maximum coverage 12,000 square feet.

Impervious Coverage      Maximum coverage 15,000 square feet.

2715 ANNUAL REVIEW

At least once annually the Planning Director shall submit a report to the Planning Commission summarizing the status of each Development Reserve District. The report shall include reference to current or projected planning studies, provision of utilities and services, development potential, and any additional factors pertinent to continuation of the district.

2730 AV AVIATION SERVICES DISTRICT

2731 PURPOSES

The AV Aviation Services District is intended to provide regulations applicable to major public airport facilities, including airport-related uses on public lands and on private lands adjoining airport facilities. Allowable uses are limited to aviation activities, business and services dependent upon direct access to airport facilities, and related uses that are compatible with or supportive to airport operations and services.

2732 PERMITTED AND CONDITIONAL USES

The following activities and uses are allowable within the Aviation Services District. When located on property in public ownership, such activities and uses are permitted uses. When located on property in private ownership, such activities and uses are conditional uses, and may be allowed subject to approval as provided by Section 6200.

- a. Aviation Facilities
- b. Aviation-related Commercial and Industrial activities requiring direct access to airport facilities or to aviation services, such as assembly and sale of aircraft, air frames, aircraft engines, aircraft parts and associated components, radios and navigational equipment, and similar products and services.
- c. Commercial and Industrial uses activities providing services to airport customers and to aviation-related uses, including passenger terminal facilities, air freight services, auto service stations and car rental agencies, restaurants, lounges, convenience shopping, banking services, personal

services, hotels and motels, and uses and services of a similar nature.

- d. Activities and uses of an agricultural, recreational, or open space nature located within clear zones, approach areas, or other lands reserved for future airport operations or related services.

2733 SITE DEVELOPMENT REGULATIONS

No specific site development regulations shall apply to property in public ownership. Each site in private ownership shall be subject to site development regulations to be established by a conditional use permit.

2734 LAND IN PRIVATE OWNERSHIP

In the case of private land, AV zoning will not be granted nor will any conditional use or permission for aviation related activities be granted until the owner has secured an airport use/operating agreement covering the intended aviation activity.

2740 AG AGRICULTURAL DISTRICT

2741 PURPOSES

In addition to the objectives stated in Section 1015, the Agricultural District is included in the Zoning Regulations to achieve one or more of the following purposes:

- a. To protect and preserve areas of prime agricultural soils for continued agricultural and agriculturally oriented uses.
- b. To concentrate urban development in and around the growth centers and promote compact urban development.
- c. To protect and preserve the environment and open spaces.

2742 MINIMUM AREA

An AG Agricultural District shall include a minimum area of ten acres.

2743 PERMITTED USES

The following use types are permitted.

a. Commercial Uses

Stables



b. Agricultural Uses

Animal Production  
Crop Production  
Horticulture  
Support Housing

2744 CONDITIONAL USES

The following use types may be allowed, subject to approval as provided by Section 6200.

a. Residential Uses

Single-Family Residential

b. Commercial Uses

Kennels

c. Civic Uses

Club or Lodge

2745 SITE DEVELOPMENT REGULATIONS

a. PERMITTED USES

Sites in the AG Agricultural District occupied by permitted uses shall be subject to the following site development regulations.

<u>Feature</u>	<u>Regulation</u>
Yard	Minimum required setback for permanent structures, 100 feet.
Height	Maximum height, 60 feet. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.

b. CONDITIONAL USES

Sites in the AG Agricultural District occupied by conditional uses shall be subject to the following site development regulations.

<u>Features</u>	<u>Regulations</u>
Lot Area	Minimum lot area, one acre; Maximum lot area, one and one-half acre.
Lot Width	Minimum lot width, 100 feet.
Residential Density	Not more than one dwelling unit per lot, subject to provisions of Section 2746.
Height	Maximum height, three (3) stories or 35 feet. For property located across the street from, or adjoining, or within 540 feet of, property zoned or used SF-5 or more restrictive refer to Compatibility Standards beginning with Section 4700.
Front Yard	Minimum required setback, 40 feet.
Street Side Yard	Minimum required setback, 25 feet.
Interior Side Yard	Minimum required setback, 10 feet.
Rear Yard	Minimum required setback, 20 feet.
Building Coverage	Maximum coverage, 20 percent of the lot area or 10,000 sq. ft., whichever is less.
Impervious Coverage	Maximum coverage, 25 percent of the lot area, or 12,500 sq. ft., whichever is less.

#### 2746 ADDITIONAL REGULATIONS

##### a. CONDITIONAL USES - DENSITY

The maximum number of lots that may be created for occupation by conditional uses in Agricultural Districts shall be based on the gross area of that tract which is to be subdivided, as follows:

<u>Area of Tract</u>	<u>Maximum Number of Lots Permitted</u>
0-10 acres	0
10-20	1
20-30	2

30-40	3
40-50	4
50-60	5
60-70	6
70-80	7
80-90	8
90-100	9
100-110	10
110+	1 additional lot for every 9 acres of land

b. CONDITIONAL USES - SPACING

<u>Feature</u>	<u>Regulation</u>
Distance of Lot from the Public Right-of-Way	Maximum distance, 400 feet from rear lot line to road centerline.
Distance between Driveways	Minimum distance, 100 feet, between adjacent driveways serving conditional use sites, if located on the same side of the road.

2770 PUD PLANNED UNIT DEVELOPMENT DISTRICT

2771 ENACTMENT BY ORDINANCE

The decision of the Planning Commission on an application for a PUD shall be forwarded to the City Council as a recommendation to grant or deny after the Planning Commission holds a public hearing thereon. The City Council shall hold a public hearing on said application. Notice of the public hearings before the Planning Commission and City Council shall be given in the same manner as the notice required under Sections 6630 and 6640, respectively. The City Council's approval of a PUD shall be by amendment to the zoning ordinance. Said amendment shall designate and define the boundaries of the PUD and include such conditions as the City Council finds are necessary to secure and protect the public health, safety, morals and general welfare. In the event the decision of the Planning Commission on the application for a PUD is adverse thereto, or in the event a protest against the proposed PUD is presented, in writing, to the City Council, duly signed and acknowledged by the owners of at least twenty percent of the property situated in the area bounded by lines two hundred feet in each direction and on each side of the area included in such proposed PUD, such ordinance approving the PUD shall not be passed except by an affirmative vote of at least six members of the City Council.

2772 FLEXIBLE SITE PLANNING

When considering a PUD, the unique nature of each proposal for a PUD may require, under proper circumstances, the departure from the strict enforcement of certain present codes and ordinances, e.g., without limitation, the width and surfacing of streets and highways, alleyways for public utilities, curbs, gutters, sidewalks and street lights, public parks and playgrounds, school sites, storm drainage, water supply and distribution, sanitary sewers, sewage collection and treatment, etc. Final approval of a PUD by the City Council shall constitute authority for such flexible planning to the extent that the PUD as approved, departs from existing codes and ordinances.

2773 SITE PLAN SUBMISSION

A site plan shall be submitted. It shall contain the same information as called for in Section 6130. In addition, for a PUD the site plan shall also show the following:

- a. The dwelling intensity of any residential areas and the lot sizes and locations of any other uses within the PUD.
- b. Areas proposed to be conveyed, dedicated or reserved for parks, parkways, playgrounds, school sites, public buildings and similar public and semipublic uses.
- c. A plan for the location of all public utilities.
- d. A copy of all agreements, provisions or covenants which govern the use, maintenance and continued protection of the PUD and any of its common open space.
- e. A representation of the general use and character of land adjacent to the PUD area within two hundred (200) feet.
- f. A landscape plan along the boundary of a PUD to a depth of one hundred (100) horizontal feet.

However, exact building locations need not be shown on the site plan for a PUD so long as all areas within which buildings may be constructed or maintained are specifically delineated by building setback lines.

2774 PRELIMINARY SUBDIVISION PLAN

A preliminary subdivision plan shall be submitted along with the site plan. Refer to Chapter 13-3 of the Austin City Code for information and processing of preliminary subdivision plan.

2775 EXISTING PLANNED UNIT DEVELOPMENTS

PUDs approved under procedures applicable prior to the date of adoption of these Zoning Regulations shall be deemed to be PUD Districts, and shall be governed by regulations and requirements previously applicable. Previously existing PUDs shall be shown on the Zoning Map as PUD Districts.

2776 CHANGE OF ZONING CLASSIFICATION

In the event any PUD district is changed by ordinance to another zoning district, the PUD Preliminary Plan and General Development Plan shall become null and void on all portions thereof affected by such change.

2790 P PUBLIC DISTRICT

2791 PURPOSES

The P Public District is intended to accommodate uses of a governmental civic, public service, or public institutional nature, including major public facilities. The review of the location of the planning for public facilities is intended to facilitate the coordination of urban services while minimizing the potential disruption of the uses of nearby properties.

2792 APPLICATION

The P Public District shall be applied only to those properties used, reserved, or intended to be used for a civic or public institutional purpose, or for major public facilities with these provisions:

- a. Government-owned properties rented or leased to nongovernmental agencies for purposes not related to providing governmental services or support functions to a primary civic or public institutional use shall not be zoned Public District, but rather shall be zoned or rezoned according to the use types or the use characteristics which predominate.
- b. Properties leased, rented, or otherwise modified or made available to accommodate governmental or civic uses, on long term bases, may be zoned Public District to reflect the actual public or civic uses of such properties.
- c. Remnants of land resulting from public development or acquisition, and not intended to be used or developed for a public purpose, shall retain the zoning classification existing prior to passing into public ownership or trust.

- d. Public properties in an AV Aviation District shall not require a Public District designation.
- e. The Public District may be applied to any site pursuant to Section 6500. The Public District may be removed, pursuant to Section 6500, from any site or portion thereof due to termination of public ownership or use, or to reflect an intended use other than as provided by Section 2793 and 2794.

#### 2793 PERMITTED USES

Permitted uses shall include any activity of a governmental, civic, public service, or public institutional nature. Such activities may include residential uses conducted in association with educational, military, medical, or similar public uses; may include commercial or industrial uses conducted accessory to or in support of a primary public use on the same site; and may include agricultural uses or an interim use of the site.

##### a. Civic Uses

- Administrative Services
- Cemetery
- Detention Facilities
- Hospital Services (General)
- Hospital Services (Limited)
- Local Utility Services
- Maintenance and Service Facilities
- Military Installations
- Park and Recreation Services
- Safety Services

#### 2794 CONDITIONAL USES

The following use types may be allowed, subject to approval as provided in Section 6200.

##### a. Residential Uses

All residential use types.

##### b. Civic Uses

- Major Public Facilities
- Major Utility Services
- Parking Facilities
- Transportation Terminals

2795 SITE DEVELOPMENT REGULATIONS

No specific site development regulations shall apply to property intended for a permitted civic use when owned by a governmental entity other than the City of Austin. Residential uses conducted in association with a public use as provided in Section 2793 shall comply with the site development regulations of the residential district most comparable to the intended use and density. In all other cases the following provisions shall apply:

- a. Sites of less than one acre. The site development regulations of an adjoining district shall apply to all portions of the site within 100 feet of the adjoining district.
- b. Sites of one acre or greater area. Each site of one acre or greater area shall be subject to site development regulations to be established by a conditional use permit pursuant to Section 6200.
- c. City of Austin properties. The site development regulations of an adjoining district shall apply to all portions of the site within 100 feet of the adjoining district, except that the minimum lot area may be reduced. Each site of one acre or greater shall be subject to site development regulations to be established by a conditional use permit pursuant to Section 6200.

2800 COMBINING DISTRICTS

2805 NCC NEIGHBORHOOD CONSERVATION COMBINING DISTRICT  
(Reserved)

2830 PDA PLANNED DEVELOPMENT AREA COMBINING DISTRICT

2831 PURPOSE

The PDA Planned Development Area Combining District is intended for application in combination with selected commercial and industrial base districts, in order to modify base district provisions as necessary to allow for appropriate industrial and commercial uses or to reflect the terms of Planned Development Area Agreements following annexation of properties subject to such agreements.

2832 CRITERIA FOR ESTABLISHMENT

- a. The PDA Planned Development Area Combining District may be applied only in combination with one or more of the following base districts:

1. IP Industrial Park District
2. LI Limited Industrial Services District
3. CH Highway Commercial Services District

b. Each PDA Planned Development Area is subject to site plan review.

#### 2833 ENACTMENT BY ORDINANCE

Each PDA Combining District shall be established by ordinance, pursuant to Section 6500. Each enacting ordinance shall include a specific listing of the modifications to the base district regulations that the PDA Combining District establishes.

#### 2834 ALLOWABLE MODIFICATIONS

The following modifications to regulations otherwise applicable in the base district shall be permitted:

1. Modifications to permitted and conditional uses specified for the base district(s).
2. Modifications to site development regulations specified for the base district(s).
3. Modifications to off-street parking and loading regulations, sign regulations, principal roadway area regulations, and landscaping and screening regulations applicable within the base district(s).

#### 2835 EXISTING PLANNED DEVELOPMENT AREAS

Planned Development Areas approved under procedures applicable prior to the effective date of these provisions shall be deemed to be Planned Development Area Combining Districts, and shall be governed by regulations and requirements previously applicable. Previously existing Planned Development Areas shall be shown on the Zoning Map as Planned Development Area Combining Districts.

#### 2900 MU MIXED USE COMBINING DISTRICT

##### 2901 PURPOSES

The MU Mixed Use Combining District is intended for application in combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development.

##### 2902 PERMITTED USES

The following use types are permitted.



a. Residential Uses

Townhouse Residential  
Multiple Family Residential  
Group Residential

b. Commercial Uses

As permitted by the base district.

c. Civic Uses

As permitted by the base district.

2903 CONDITIONAL USES

The following use type may be allowed, subject to approval as provided by Section 6200.

a. Commercial Uses

Cocktail Lounge

b. Civic Uses

Club or Lodge

2904 SITE DEVELOPMENT REGULATIONS

a. The MU District may only be applied in combination with one of the following base districts:

1. LO Limited Office District
2. GO General Office District
3. LR Neighborhood Commercial District
4. GR Community Commercial District
5. CS General Commercial Services District
6. CS-1 Commercial-Liquor Sales District

b. Each site in the MU District shall be subject to the site development regulations of the base district with which it is combined.

c. MU shall be subject to site plan review pursuant to Section 6100.

2905 ADDITIONAL REGULATIONS

a. Residential Uses. Sites in the MU District shall be subject to the following site development regulations in addition to any corresponding regulation in Section 2904.

1. Residential density for LO and LR shall be:

<u>Dwelling Unit Size</u>	<u>Minimum Site Area per Unit</u>
Efficiency	1,600 square feet
One bedroom	2,000 square feet
Two or more bedrooms	2,400 square feet

2. Residential density for GO, GR, CS and CS-1 shall be:

<u>Dwelling Unit Size</u>	<u>Minimum Site Area per Unit</u>
Efficiency	800 square feet
One bedroom	1,000 square feet
Two or more bedrooms	1,200 square feet

2910 DOWNTOWN OVERLAY ZONES

2911 PURPOSES

The Downtown Overlay Zones are intended for application in combination with the CBD and DMU base districts in order to protect and enhance identified unique features of downtown Austin and peripheral areas.

2912 SUPPLEMENTAL DOWNTOWN OVERLAY ZONE MAP

The boundaries of Downtown Overlay Zones shall be depicted on the Zoning Map.

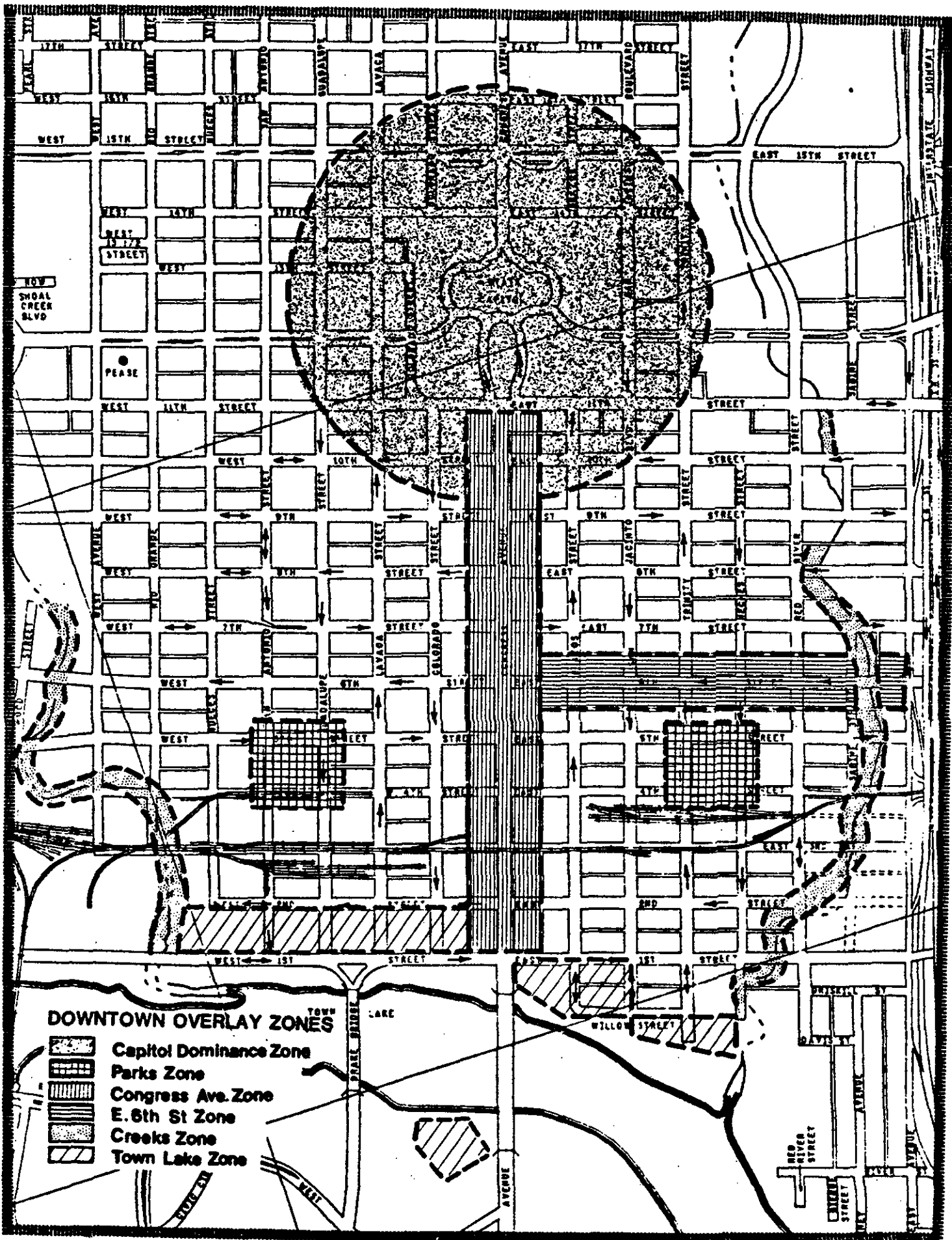
2913 DOWNTOWN OVERLAY ZONE DEVELOPMENT MANUAL

A development manual summarizing Downtown Overlay Zone guidelines shall be available from the Planning Department. These guidelines present a statement of characteristics or design criteria considered desirable, but which are not required. Guidelines shall supplement the following regulations.

2915 CDZ CAPITOL DOMINANCE ZONE

2916 PURPOSES

The CDZ Capitol Dominance Zone is intended for application in combination with selected base districts in order to protect the visual and symbolic significance of the state capitol by keeping buildings in close proximity from dominating the structure.





2917 BOUNDARIES

Boundaries for the CDZ Capitol Dominance Zone shall include all properties within one-fourth mile radius of the State Capitol dome (1,320 feet).

2918 USE REGULATIONS

Permitted and conditional uses for the CDZ Capitol Dominance Zone shall be those uses specified for the base district(s) which are included in the CDZ boundary.

2919 SITE DEVELOPMENT REGULATIONS

Site Development Regulations for the CDZ Capitol Dominance Zone shall be those regulations specified for the base district(s), with the addition of the following requirements:

In close proximity to the State Capitol, the height of surrounding buildings should be limited, but the permitted height may increase as the distance from the Capitol increases. Within 1/4 mile (1,320 feet) of the State Capitol, permitted building heights shall be established by a line that forms a  $2\frac{1}{2}^\circ$  angle from the base of the Capitol dome and the imaginary plane established at 653 feet elevation above sea level. The formula for calculating the height ceiling at intermediate points shall be established by multiplying the distance from the Capitol center dome by the tangent of  $2\frac{1}{2}^\circ$  or .04366, and adding this to 653 feet elevation.

2920 CAZ CONGRESS AVENUE ZONE

2921 PURPOSES

The CAZ Congress Avenue Zone is intended for application in combination with the CBD and DMU base districts in order to protect the historic character and symbolic significance of Congress Avenue and to enhance the pedestrian environment along this unique downtown corridor.

2922 BOUNDARIES

The boundaries of the CAZ Congress Avenue Zone shall include all properties between alleys on either side of Congress Avenue from First Street to Eleventh Street.

2923 USE REGULATIONS

Permitted and conditional uses for the CAZ Congress Avenue Zone shall be those uses specified for the base district.

## 2924 SITE DEVELOPMENT REGULATIONS

Site development regulations for the CAZ Congress Avenue Zone shall be those regulations specified for the base district with the addition of the following requirements:

1. Within 60 feet adjacent to Congress Avenue, the heights of buildings shall be a minimum of 30 feet and a maximum of 90 feet.
2. To the extent glass is utilized, clear or lightly tinted glass shall be used on the first floor of all buildings and structures.
3. Reflective surface building materials shall be limited to use only when there is no glare.

There shall be no surface parking lots, nor curb cuts, nor unscreened garage openings at any level permitted as a result of any new development within identified Overlay Zone Boundaries on Congress Avenue, East 6th/Pecan Street, or along the street frontage adjacent to Downtown Parks or Town Lake, or along Downtown Creek frontages. The Planning Commission shall have the right to waive one or more of these requirements provided that the Commission includes a finding in its approval that: (1) the applicant has demonstrated that adherence to the regulations is impractical, and (2) the applicant has demonstrated that the proposed project will not unreasonably impair pedestrian and vehicular movement in the affected area and adequate precautions have been made for public safety, convenience and the aesthetic values of the Overlay Zone.

The decision of the Planning Commission may be appealed to the City Council. If the City Council approves such application, it shall be required to make the same findings as provided hereinabove.

## 2925 PSZ E. SIXTH/PECAN STREET ZONE

### 2926 PURPOSES

The PSZ E. Sixth/Pecan Street Zone is intended for application in combination with the CBD and DMU base districts in order to protect the historic character of East Sixth/Pecan Street and to enhance the pedestrian orientation of this unique urban area.

### 2927 BOUNDARIES

The boundaries of the PSZ E. Sixth/Pecan Street Zone shall include all properties between alleys and the extension of alley lines on either side of E. Sixth/Pecan Street from I.H. 35 to the alley east of Congress Avenue.

2928 USE REGULATIONS

Permitted and conditional uses for the PSZ E. Sixth/Pecan Street Zone shall be those uses specified for the base district.

2929 SITE DEVELOPMENT REGULATIONS

Site development regulations for the PSA E. Sixth/Pecan Street Zone shall be those regulations specified for the base district with the addition of the following requirements:

1. Building heights shall be limited to 45 feet within the zone.
2. To the extent glass is utilized, clear or lightly tinted glass shall be used on the first floor of all buildings and structures.
3. Reflective surface building materials shall be limited to use only when there is no glare.
4. All exterior signs shall correspond to the standards adopted by the Historic Landmark Commission for the Sixth Street Historic District.

There shall be no surface parking lots, nor curb cuts, nor unscreened garage openings at any level permitted as a result of any new development within identified Overlay Zone Boundaries on Congress Avenue, East 6th/Pecan Street, or along the street frontage adjacent to Downtown Parks, or Town Lake, or along Downtown Creek frontages. The Planning Commission shall have the right to waive one or more of these requirements provided that the Commission includes a finding in its approval that: (1) the applicant has demonstrated that adherence to the regulations is impractical, and (2) the applicant has demonstrated that the proposed project will not unreasonably impair pedestrian and vehicular movement in the affected area and adequate precautions have been made for public safety, convenience and the aesthetic values of the Overlay Zone.

The decision of the Planning Commission may be appealed to the City Council. If the City Council approves such application, it shall be required to make the same findings as provided hereinabove.

2930 DPZ DOWNTOWN PARKS ZONE

2931 PURPOSES

The DPZ Downtown Parks Zone is intended for application in combination with the CBD and DMU base districts, in order to

enhance the pedestrian use and vitality of downtown parks and to establish a unique urban design identity associated with these public open spaces.

2932 BOUNDARIES

The boundaries of the Downtown Parks Zone shall include all properties within sixty (60) feet of the public right of way surrounding Republic Square and Brush Square.

2933 USE REGULATIONS

Permitted and conditional uses for the DPZ Downtown Parks Zone shall be those uses specified for the base districts.

2934 SITE DEVELOPMENT REGULATIONS

Site development regulations for the DPZ Downtown Parks Zone shall be those regulations specified for the base district(s) with the addition of the following:

1. Building heights shall be limited to 120 feet within the zone.
2. To the extent glass is utilized, clear or lightly tinted glass shall be used on the first floor of all buildings or structures.
3. Reflective surface building materials shall be limited to use only when there is no glare.

There shall be no surface parking lots, nor curb cuts, nor unscreened garage openings at any level permitted as a result of any new development within identified Overlay Zone Boundaries on Congress Avenue, East 6th/Pecan Street, or along the street frontage adjacent to Downtown Parks or Town Lake, or along Downtown Creek frontages. The Planning Commission shall have the right to waive one or more of these requirements provided that the Commission includes a finding in its approval that: (1) the applicant has demonstrated that adherence to the regulations is impractical, and (2) the applicant has demonstrated that the proposed project will not unreasonably impair pedestrian and vehicular movement in the affected area and adequate precautions have been made for public safety, convenience and the aesthetic values of the Overlay Zone.

The decision of the Planning Commission may be appealed to the City Council. If the City Council approves such application, it shall be required to make the same findings as provided hereinabove.



2935 DCZ DOWNTOWN CREEKS ZONE

2936 PURPOSES

The Downtown Creeks Zone is intended for application in combination with the CBD and DMU base districts in order to promote public accessibility and pedestrian use along downtown creeks, and to protect and enhance the scenic character of these creek corridors.

2937 BOUNDARIES

The boundaries of the DCZ Downtown Creeks Zone shall include all properties within sixty (60) feet of the centerline of creeks located within the CBD or DMU zoning districts.

2938 USE REGULATIONS

Permitted and conditional uses for the DCZ Downtown Creeks Zone shall be those uses specified for the base districts.

2939 SITE DEVELOPMENT REGULATIONS

Site development regulations for the DCZ Downtown Creeks Zone shall be those regulations specified for the base district(s) with the addition of the following requirements:

1. Building heights shall be limited to 60 feet within the zone.
2. To the extent glass is utilized, clear or lightly tinted glass shall be used on the first floor of the creek side of all buildings or structures.
3. Reflective surface building materials shall be limited to use only when there is no glare on the creek side of the property.
4. External storage, trash collection, loading and associated facilities shall be screened from view from the creek.

There shall be no surface parking lots, nor curb cuts, nor unscreened garage openings at any level permitted as a result of any new development within identified Overlay Zone Boundaries on Congress Avenue, East 6th/Pecan Street, or along the street frontage adjacent to Downtown Parks or Town Lake, or along Downtown Creek frontages. The Planning Commission shall have the right to waive one or more of these requirements provided that the Commission includes a finding in its approval that: (1) the applicant has demonstrated that adherence to the regulations is

impractical, and (2) the applicant has demonstrated that the proposed project will not unreasonably impair pedestrian and vehicular movement in the affected area and adequate precautions have been made for public safety, convenience and the aesthetic values of the Overlay Zone.

The decision of the Planning Commission may be appealed to the City Council. If the City Council approves such application, it shall be required to make the same findings as provided hereinabove.

2940 TLZ TOWN LAKE ZONE

2941 PURPOSES

The TLZ Town Lake Zone is intended for application in combination with the CBD and DMU base districts in order to protect and enhance the scenic character of Town Lake and to establish a unique urban design identity associated with this environmental resource.

2942 BOUNDARIES

The boundaries of the TLZ Town Lake Zone shall include all city blocks immediately adjacent to public parkland along the north bank of Town Lake between Shoal Creek and Waller Creek, not including property within the CAZ Congress Avenue overlay zone.

2943 USE REGULATIONS

Permitted and conditional uses for the TLZ Town Lake Zone shall be those uses specified for the base district.

2944 SITE DEVELOPMENT REGULATIONS

Site developments regulations for the TLZ Town Lake Zone shall be those regulations specified for the base district(s) with the addition of the following requirements:

1. Building heights shall be limited to 120 feet within the zone.
2. To the extent glass is utilized, clear or lightly tinted glass shall be used on the first floor on the Town Lake side of all buildings or structures.
3. Reflective building materials shall be limited to use only when there is no glare on the Town Lake side of the property.

There shall be no surface parking lots, nor curb cuts, nor unscreened garage openings at any level permitted as a result of any new development within identified Overlay Zone Boundaries on Congress Avenue, East 6th/Pecan Street, or along the street frontage adjacent to Downtown Parks, or Town Lake, or along Downtown Creek frontages. The Planning Commission shall have the right to waive one or more of these requirements provided that the Commission includes a finding in its approval that: (1) the applicant has demonstrated that adherence to the regulations is impractical, and (2) the applicant has demonstrated that the proposed project will not unreasonably impair pedestrian and vehicular movement in the affected area and adequate precautions have been made for public safety, convenience and the aesthetic values of the Overlay Zone.

The decision of the Planning Commission may be appealed to the City Council. If the City Council approves such application, it shall be required to make the same findings as provided hereinabove.

2950 USE REGULATIONS SUMMARY

Table 2900 summarizes the use classifications which are permitted or conditional within each use district. Table 2900 is intended for general or summary reference, and does not reflect all provisions which may apply to particular uses, sites, or districts.

2955 SITE DEVELOPMENT REGULATIONS SUMMARY

Table 2950 summarizes the principal site development regulations applicable within each district. Table 2950 is intended for general or summary reference, and does not contain all regulations which may apply to particular uses, sites or districts.

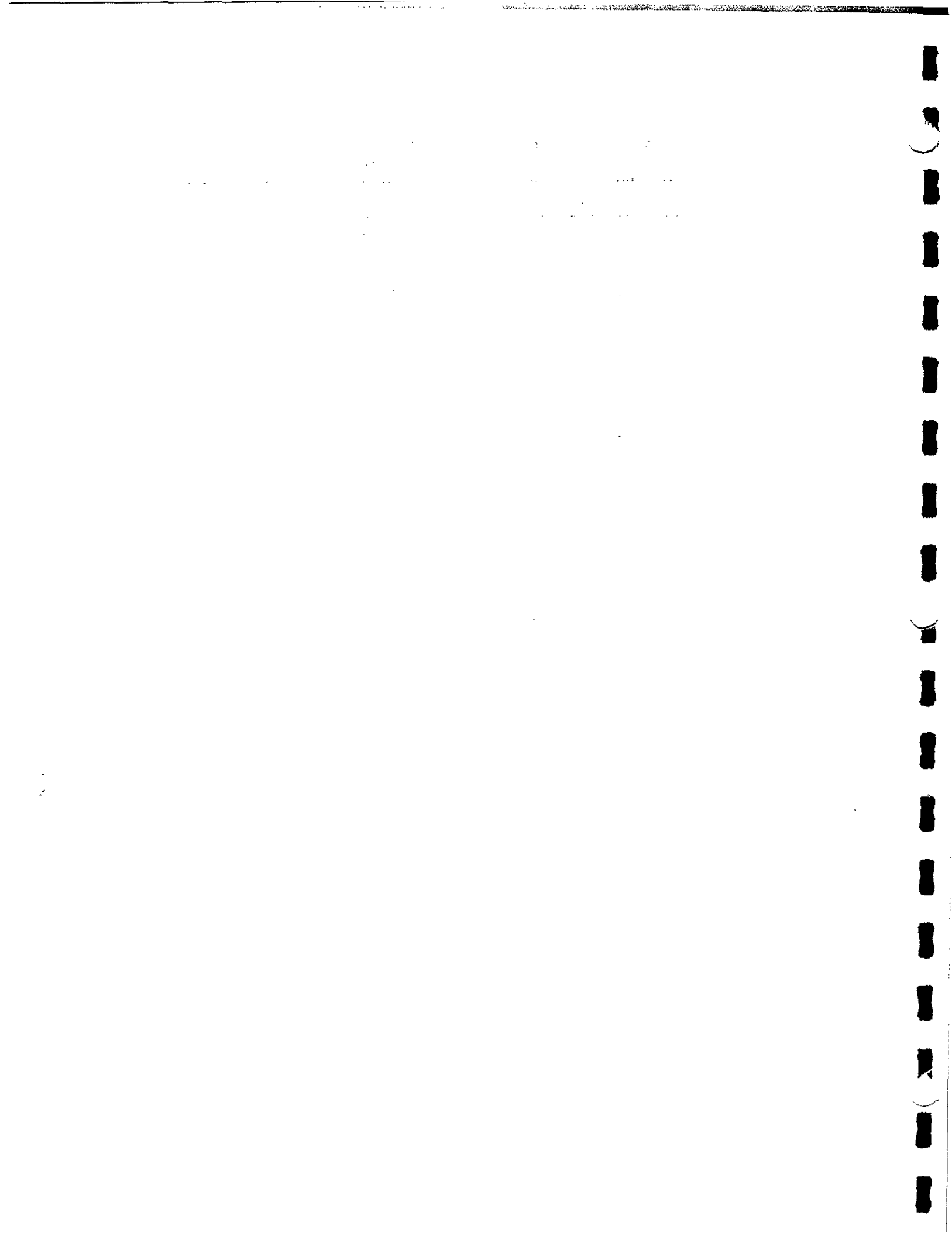


TABLE 2900: USE REGULATIONS SUMMARY

Use Classification  
(See Section 1500)

Allowable Status by District  
(See Sections 2000 to 2999)

RESIDENTIAL USES:	LA	RR	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	MF-1	MF-2	MF-3	MF-4	MF-5	MF-6	MH	NO	LO	CO	LR	GR	L	CEO	DMU	CS	CS-1	CH	TP	MI	LI	AG	DR	MU	P				
Single Family Res. (SL)	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C				
Single Family Res.	P	P	P	P	P	-	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-	C			
Duplex Res.	-	-	-	-	P	-	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C				
Two Family Res.	-	-	-	-	-	-	C	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C				
Townhouse Res.	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	P	C			
Condo. Res.	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	P	C			
Multi. Family Res.	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	-	-	-	P	P	P	-	-	P	-	-	-	-	-	P	C			
Group Res.	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-	-	-	-	-	P	P	-	-	P	-	-	-	-	-	P	C			
Mobile Home Res.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C			
COMMERCIAL USES:																																					
Admin. & Business Ofc.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-				
Ag. Sales & Serv.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-				
Arts & Crafts Studio (Ltd.)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-				
Arts & Crafts Studio (Gen.)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-	-	-				
Arts & Crafts Studio (Ind.)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-				
Automotive Rentals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	C	C	P	P	P	P	P	-	-	-	-				
Automotive Repair Serv.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	C	C	P	P	P	P	P	-	-	-	-				
Automotive Sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	C	C	P	P	P	P	P	-	-	-	-				
Automotive Washing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	C	C	P	P	P	-	P	-	-	-	-				
Bldg. Maintenance Serv.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-	-	-				
Business Support Serv.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-				
Business or Trade School	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-				
Campground	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	P	-	-	-				
Cocktail Lounge	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	C	-	C	C	-	-	-	-	-	-				
Comm. Off-Street Parking	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	C	C	P	P	P	-	P	-	-	-	-				
Communications Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	P	P	P	P	P	P	P	P	-	-	-	-				
Construc. Sales & Serv.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-	-	-				
Consumer Convenience Serv.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	P	-	-	-	-				
Consumer Repair Serv.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-	-	-				
Convenience Storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-	-	-				
Equipment Sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	-	-	-				
Equipment Repair Serv.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	-	-	-				
Exterminating Serv.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	P	P	P	-	P	-	-	-				
Financial Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	P	P	P	P	P	P	P	P	-	-	-	-				
Food Sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	P	-	-	-	-				
Funeral Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	P	P	-	P	-	-	-	-				
General Retail Sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	P	-	-	-	-				
Hotel-Motel	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	P	-	-	-	-				
Indoor Entertainment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-	-				
Indoor Sports & Rec.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	P	-	-	-	-				

Use Classification  
(See Section 1500)

Allowable Status by District  
(See Sections 2000 to 2999)

COMMERCIAL USES. (cont'd)	LA	RR	SP-1	SP-2	SP-3	SP-4	SP-5	SP-6	MF-1	MF-2	MF-3	MF-4	MF-5	MF-6	MH	NO	LO	GO	LR	GR	L	CB	DM	CS	CS-1	CH	IP	MI	LI	AG	DR	MU	P
Kennels	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	P	C	C	-	-
Laundry Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	P	-	-	-	-
Liquor Sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	P	-	-	-	-	-	-	-
Medical Offices	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-
Outdoor Sports & Rec.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-
Outdoor Entertainment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	C	C	C	C	C	C	C	C	-	-	-	-
Pawn Shop Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	P	P	P	-	-	-	-	-	-	-
Personal Improvement Serv.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	P	P	-	-	-	-
Personal Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-
Pet Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	P	P	P	P	-	-	-	-	-	-	-
Professional Offices	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	P	P	P	P	P	P	P	P	P	-	-	-	-
Research Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-
Restaurant (Convenience)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-
Restaurant (Limited)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	P	P	P	P	P	P	-	-	-	-
Restaurant (General)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-
Scrap & Salvage Serv.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-
Service Station	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	C	C	P	P	P	P	P	P	-	-	-	-
Stables	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	C	-	-
Vehicle Storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	P	P	P	-	P	P	-	-	-	-
Veterinary Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	P	-	-	-	-
<b>AGRICULTURAL USES:</b>																																	
Animal Production	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Crop Production	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Horticulture	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Support Housing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	C	-	-

P = Permitted Use

C = Conditional Use Permit Required

AV	AVIATION DISTRICT	SECTION 2730
PDA	PLANNED DEVELOPMENT AREA	SECTION 2830
PUD	PLANNED UNIT DEVELOPMENT	SECTION 2770
CDZ	CAPITOL DOMINANCE ZONE	SECTION 2915
CAZ	CONGRESS AVENUE ZONE	SECTION 2920
PSA	E. SIXTH/PECAN STREET ZONE	SECTION 2925
DPZ	DOWNTOWN PARKS ZONE	SECTION 2930
DCZ	DOWNTOWN CREEKS ZONE	SECTION 2935
TLZ	TOWN LAKE ZONE	SECTION 2940

TABLE 2900: USE REGULATIONS SUMMARY - Page 3

Use Classification  
(See Section 1500)

Allowable Status by District  
(See Sections 2000 to 2999)

INDUSTRIAL USES:	1A	RR	SP-1	SP-2	SP-3	SP-4	SP-5	SP-6	MF-1	MF-2	MF-3	MF-4	MF-5	MF-6	MR	NO	LO	CO	LR	GR	L	CSO	DNU	CS	CS-1	CH	IP	MI	LI	AG	DR	MU	P				
Basic Industry	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-				
Custom Manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	-	-				
Gen. Warehousing & Distr.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-					
Light Manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-					
Ltd. Warehousing & Distr.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	-					
Resource Extraction	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-					
Stockyards	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-					
CIVIC USES:																																					
Administrative Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P				
Aviation Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
Cemetery	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P				
Club or Lodge	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	-				
College & Univ. Facil.	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-				
Community Recreation	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
Convalescent Services	-	-	-	-	-	-	-	-	-	-	C	C	C	C	-	-	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
Cultural Services	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	-	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	P	-				
Day Care Serv. (Gen.)	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	P	-				
Day Care Serv. (Ltd.)	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	P	-				
Day Care Serv. (Comm.)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	-	-	P	-				
Detention Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P				
Emg. Res. Care Serv. (Ltd.)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	P	-			
Emg. Res. Care Serv. (Gen.)	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	P	-				
Guidance Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-				
Hospital Services (Gen.)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	C	C	C	C	-	-	-	-	-	-	-	-	P				
Hospital Services (Ltd.)	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	C	P	C	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-				
Local Utility Services	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P			
Maintenance & Serv. Fac.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	P	P	P	P	P	-	-	-	-	-				
Major Utility Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C				
Major Public Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C				
Military Installations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P				
Park & Recreation Serv.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P				
Parking Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	C	C	C	-	-	-	-	C				
Postal Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
Private Pri. Ed. Fac.	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-				
Private Sec. Ed. Fac.	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-				
Public Pri. Ed. Fac.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-				
Public Sec. Ed. Fac.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-				
Railroad Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-				
Religious Assembly	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-				
Safety Services	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P			
Transportation Terminals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	C	C	-	-	-	-	-				





TABLE 2950: SITE DEVELOPMENT REGULATIONS SUMMARY --- COMMERCIAL, INDUSTRIAL & OTHER DISTRICTS

Feature	Applicable Regulation by District							
	CS	CS-1	CH	IP	MI	LI	DR	AG
Minimum Lot Area (sq.ft.)	5,750	5,750	20,000 (10 ac.) <sup>1</sup>	43,560	50 ac.	5,750	10 ac.	43,560
Minimum Lot Width (feet)	50	50	100	100	250	50	100	100
Residential Density								
Maximum Units/Lot	---	---	---	---	---	---	1/Lot	1/Lot
Minimum Site Area/DU (sq.ft.)	---	---	---	---	---	---	---	---
Maximum Floor Area Ratio	2.0	2.0	3.0 (4.0) <sup>1</sup>	1.0	1.0	1.0	---	---
Maximum Height (feet)	60	60	120	60	120	60	35	60
Generally	*	*	*	*	*	*	*	*
*Special Locations:			(200) <sup>1</sup>					
Refer to Section 4700 for possible restrictions								
Minimum Required Yards (feet)								
Front Yard	10*	10*	10*	25*	---	---	25*	40*
Street Side Yard	10*	10*	10*	25*	---	---	25*	25*
Interior Side Yard	---	---	---	Note	10*	Note	10*	10*
Rear Yard (loft for duplex)	---	---	---	10*	10*	10*	10*	20*
*Special Locations: refer to Section 4700 for possible restrictions								
Maximum Building Coverage								
Percent of Lot	95%	95%	85% <sup>1</sup> (55%)	50%	75%	75%	---	20%
Square Feet	---	---	---	---	---	---	12,000	10,000
Maximum Impervious Coverage								
Percent of Lot	95%	95%	85% <sup>1</sup> (55%)	80%	80%	80%	---	25%
Square Feet	---	---	---	---	---	---	15,000	12,500
Minimum Open Space Per Dwelling Unit (sq. ft.)	---	---	---	---	---	---	---	---

<sup>1</sup> When used in combination with PDA Combining District

Note: Front Yard, Interior Side Yard, and Rear Yard

50 ft when SF-6 or more restrictive  
25 ft. when MF-1 to MF-5  
15 ft. NO through GR  
10 ft. CBD and less restrictive

3000 SUPPLEMENTAL SITE DEVELOPMENT REGULATIONS

3010 TITLE AND PURPOSE

Section 3000 through 3999 shall be known as the Supplemental Site Development Regulations. These regulations are intended to govern the application and interpretation of the site development regulations applicable within each district, and to establish additional regulations and exceptions thereto.

3020 MEASUREMENT OF DISTANCES GENERALLY

Distances between structures, or between a structure and any property line, setback line, or other line or location prescribed by the Zoning Regulations shall be measured to the exterior face of the nearest wall or vertical support of the structure. Where a structure does not have a vertical wall or support, the point of measurement shall be as determined by the Building Official, consistent with the purposes of the Zoning Ordinance and the provisions of the Uniform Building Code.

3050 LOT AREA AND DIMENSIONS

3051 PURPOSE

Minimum lot regulations are established to ensure that sites in each district have sufficient area and dimensions to accommodate allowable uses, consistent with reasonable current standards for development of such uses, and compatible with other uses in the district.

3052 MEASUREMENT OF LOT AREA

The area of a lot for purposes of compliance with minimum site development requirements shall be the net horizontal area within bounding lot lines, and shall exclude the horizontal area of a lot or site which:

- a. Comprises that portion of a flag or panhandle lot providing access to a street.
- b. Is located below a level of four hundred ninety-two and eight tenths feet (492.8) of elevation above sea level when said land is located immediately on either side of Lake Austin. (See Section 2114)

TABLE 2950: SITE DEVELOPMENT REGULATIONS SUMMARY -- MULTIPLE FAMILY DISTRICTS

## Applicable Regulation by District

Feature	MF-1	MF-2	MF-3	MF-4	MF-5	MF-6	MF
Minimum Lot Area (sq.ft.)	8,000 <sup>1</sup>	8,000 <sup>1</sup>	8,000 <sup>1</sup>	8,000 <sup>1</sup>	8,000 <sup>1</sup>	8,000 <sup>1</sup>	90,000
Minimum Lot Width (feet)	50	50	50	50	50	50	---
Residential Density							
Maximum Units/Lot	---	---	---	---	---	---	---
Minimum Site Area/DU (sq.ft.) <sup>2</sup>	3,000	2,000	1,500	1,000	1,000	---	4,500
Maximum Floor Area Ratio	---	---	.75	.75	1.0	---	---
Maximum Height (feet)							
Generally	40	40	40	60	60	90	35
*Special Locations: Refer to Section 4700 for possible restrictions	*	*	*	*	*	*	*
Minimum Required Yards (feet)							
Front Yard	25*	25*	25*	25*	15*	15*	25*
Street Side Yard	15*	15*	15*	15*	15*	15*	25*
Interior Side Yard	5*	5*	5*	5*	5*	5*	15*
Rear Yard (loft for duplex)	10*	10*	10*	10*	10*	10*	15*
*Special Locations: refer to Section 4700 for possible restrictions							
Maximum Building Coverage							
Percent of Lot	45%	50%	55%	60%	60%	70%	---
Square Feet	---	---	---	---	---	---	---
Maximum Impervious Coverage							
Percent of Lot	55%	60%	65%	70%	70%	80%	---
Square Feet	---	---	---	---	---	---	---
Minimum Open Space Per Dwelling Unit (sq. ft.)	300	200	150	100	100	100	300

<sup>1</sup> 5,750 square feet for single-family  
<sup>2</sup> 1 bedroom unit

TABLE 2950: SITE DEVELOPMENT REGULATIONS SUMMARY -- COMMERCIAL DISTRICTS

## Applicable Regulation by District

Feature	NO	LO	GO	LR	GR	L	DMU	CBO
Minimum Lot Area (sq.ft.)	5,750	5,750	5,750	5,750	5,750	5,750	---	---
Minimum Lot Width (feet)	50	50	50	50	50	50	---	---
Residential Density	---	---	---	---	---	---	---	---
Maximum Units/Lot	---	---	---	---	---	---	---	---
Minimum Site Area/DU (sq.ft.) <sup>2</sup>	---	---	---	---	---	---	---	---
Maximum Floor Area Ratio	.35	.70	1.0	.50	1.0	8.0	5.0	8.0
Maximum Height (feet)	35	40	60	40	60	200	120	---
Generally	*	*	*	*	*	*	*	*
*Special Locations:								
Refer to Section 4700 for possible restrictions								
Minimum Required Yards (feet)	25*	25*	15*	25*	10*	10*	---	---
Front Yard	15*	15*	15*	15*	10*	10*	---	---
Street Side Yard	5*	5*	5*	---	---	---	---	---
Interior Side Yard	5*	5*	5*	---	---	---	---	---
Rear Yard (10 ft. for duplex)	5*	5*	5*	---	---	---	---	---
*Special Locations: refer to Section 4700 for possible restrictions								
Maximum Building Coverage	35%	50%	60%	50%	75%	50%	100% <sup>1</sup>	100% <sup>1</sup>
Percent of Lot	---	---	---	---	---	---	---	---
Square Feet								
Maximum Impervious Coverage	60%	70%	80%	80%	90%	50%	100% <sup>1</sup>	100% <sup>1</sup>
Percent of Lot	---	---	---	---	---	---	---	---
Square Feet								
Minimum Open Space Per Dwelling Unit (sq. ft.)	---	---	---	---	---	---	---	---

<sup>1</sup> Percent of site area<sup>2</sup> 1 bedroom unit

3053 MINIMUM AREA TO BE MAINTAINED

No portion of the required area of a lot shall be used or considered as part of the required area for any other lot. No lot shall be reduced in area, width, or depth to less than the minimum requirements, except when such reduction results from partial acquisition for public use.

3055 REDUCTIONS DUE TO PUBLIC ACQUISITION

If a portion of a legally existing lot in any district is acquired for public use in any manner including dedication, condemnation or purchase, the remainder of such lot shall be considered as a complying lot provided:

- a. The remainder of such lot contains a rectangular space at least 30 feet by 40 feet in size, usable for a main building, exclusive of required yards.
- b. The remainder of such lot has an area of at least 50 percent of the minimum requirement.
- c. The remainder of such lot has frontage on a street, with a minimum lot width of 40 feet.

3056 REDUCED LOT SIZE FOR PUBLIC AND UTILITY BUILDINGS

Where a lot is devoted exclusively to public buildings and uses owned by a public agency or quasi-public agency or to public or quasi-public utility buildings and uses, and no living quarters are located on such lot or parcel, a reduction in the minimum lot size may be authorized pursuant to Site Plan Review under Section 6100.

3057 MEASUREMENT OF LOT WIDTH

Lot width shall be measured horizontally between side lot lines, along the minimum required front setback line, or the front lot line if no front yard is required and at all points for a distance of 50 feet to the rear thereof.

3100 RESIDENTIAL DENSITY

3101 PURPOSE

Residential density regulations are established to coordinate the intensity of residential development with existing and planned public service and utility capabilities, to ensure residential development compatible with existing and anticipated uses of nearby property, and to promote the growth, population distribution, and development policies of the Comprehensive Plan.

### 3102 TYPES OF LIMITS

Maximum residential density may be expressed in one or both of the following manners:

- a. As a maximum number of dwelling units allowable on site.
- b. As a minimum required site area per dwelling unit, which establishes a maximum number of units allowable on a site in relation to the area of the site.

### 3103 MEASUREMENT

In determining the site area per dwelling unit, the site shall contain the entire area required for each dwelling unit and no credit shall be allowed for any remaining balance of site area less than the full amount per dwelling unit.

### 3150 FLOOR AREA RATIO

#### 3151 PURPOSE

Floor area ratio provisions are established to ensure that total floor area of buildings on a site shall be compatible with the size of the site, the purpose of the district, and shall maintain a compatibility of scale and bulk with buildings on other sites in the same district. Maximum floor area ratio provisions are primarily applicable to non-residential uses and buildings that are not governed by density provisions, but shall apply to residential uses in districts where floor area ratio provisions are established.

#### 3152 MEASUREMENT OF FLOOR AREA

For the purpose of the floor area regulations, floor area shall be deemed the enclosed floor area of all buildings on a site, excluding floor area used for parking, loading, parking facilities, and driveways, and airspace above the atria ground floor. Enclosed loading berths and off-street maneuvering area are also excluded, but not the dock area itself.

### 3200 HEIGHT

#### 3201 PURPOSE

Height limitations are established to ensure that buildings and structures shall not exceed heights generally compatible with purposes of the district and other uses therein, and shall not unnecessarily impact upon the privacy, views, or desirability of development of adjoining sites.

### 3203 MEASUREMENT OF HEIGHT

- a. Building. The height of a building shall be measured from the average of the highest and lowest grade adjacent to the building, to the highest point of the coping of a flat roof, deck line of a mansard roof, or to the average height of the highest gable on a pitched or hipped roof.
- b. Building Segment. The height of buildings having visually distinct segments, such as stepped or terrace construction or building segments connected by lower portions of the structure, shall be measured separately for each segment of the building.
- c. Linear Structures and Features. The height of linear features, such as fences, walls, hedges, screen plantings, or like features shall be the average height measured from grade to the highest portion of such feature at all points along the feature. For purposes of applying maximum or minimum requirements, a linear feature which has an average height for its entire length in conformity with such requirements and does not exceed the requirement by more than 15 percent at any point shall be deemed to comply.
- d. Maximum Height Adjacent to Residential Uses. For purposes of applying maximum heights allowed for buildings located within an area of the site adjacent to less intense use, the height of the building shall be measured from the average of highest and lowest grade adjacent to the side of the building adjacent to such less intensive use.

### 3204 PERMITTED EXCEPTIONS TO HEIGHT LIMITS

The following structures and features may exceed the maximum height for the district in which they are located, subject to limits specified herein:

- a. The following structures may exceed the height limit of any district by not more than 15%, or such height as may be necessary to comply with generally accepted engineering practices for stacks and vents, or any applicable Federal or State law, regulation, guideline, or order, whichever is greater:
  1. Parapet walls, chimneys and vents, and mechanical or safety features such as fire towers, stairways, elevator penthouses, heating and cooling equipment, and protective covers.
  2. Ornamental towers, cupolas, domes, and spires not designed for occupancy.

- b. The following structures may exceed the height limit by not more than 25 percent, when having a total height of not more than 50 feet when located on the ground nor extending more than 25 feet above a building to which they are attached:
  - 1. Radio and television receiving antennas of the type customarily used for home radio and television receivers.
  - 2. Flagpoles.
- c. Radio towers operated by licensed amateur radio operators no more than 60 feet in height plus 15 feet for antennae. A conditional use permit will be required to exceed tower and antennae height of 60 feet and 15 feet respectively.

#### 3205 ADDITIONAL REQUIREMENTS

When height exceeds 35 feet in GO, LR, GR, CS, or CS-1, the building shall meet the following regulations when adjacent to property classified as LA, RR, SF-1 thru SF-5:

- a. To the extent glass is utilized, clear or lightly tinted glass shall be used.
- b. Exterior light illuminating the building above the second floor is prohibited.
- c. Access to local neighborhood streets shall be subject to review and approval using the criteria beginning with Section 4700 and 5500.

#### 3206 HEIGHT LIMITS ON FREESTANDING SIGNS

Notwithstanding any other provision of these Zoning Regulations, no freestanding sign shall exceed a height of 35 feet.

#### 3300 YARD AND SETBACK REGULATIONS

##### 3301 PURPOSE

Minimum yard requirements (setbacks) are established to ensure safety, light, air, privacy, building separation, and open areas appropriate to each use and district, and to minimize impacts of uses and structures on one site upon adjoining sites.

##### 3302 MEASUREMENT

- a. Minimum Required Yards. Minimum required yards shall be measured pursuant to applicable definitions in Section 1100. No portion of an easement or right-of-way providing access to another lot shall be considered a part of a required yard, and for purposes of measurements of required yards and determination of setbacks, the



boundary line of such easement or right-of-way shall be considered a lot line, except for easements providing access under a reciprocal easement agreement in a common development.

- b. Actual Yards. Where buildings are located a greater distance from a property line than required by minimum yard provisions, a yard greater than the minimum requirements will result. For the purposes of regulations governing the location of accessory buildings, incidental site improvements, off street parking and loading, signs, and other features in yards, the following provisions of the Zoning Regulations shall be deemed to apply to the minimum required yard unless specifically stated otherwise.

#### 3304 GUIDELINES FOR INTERPRETATION OF REQUIREMENTS

The Planning Commission may by resolution, adopt guidelines or establish standard practice for appropriate and practical interpretation of yard and setback regulations by the Building Official, in instances where geometric shape, dimensions, and topography make the literal interpretation of such provisions impractical.

#### 3305 EXCEPTIONS TO REQUIRED OPENNESS OF REQUIRED YARDS

Every part of each required yard shall be open and unobstructed from finished grade to the sky except for structures and projections specified herein. Any buildings, structure, or projection not specifically allowed in a required yard by the following subsections is prohibited. These restrictions shall not apply to buildings, structures, or projections located in yards or portions thereof which are not minimum required yards.

- a. Window sills, belt courses, cornices, flues and chimneys, and eaves may project 2 feet into a required yard, except that such features as required for passive energy design may project further.
- b. Uncovered steps, porches or stoops located not more than 2 feet above adjacent ground level may project 3 feet into a required yard.
- c. Parking except when in conflict with the provisions of Section 4700.
- d. Pools; including but not limited to swimming pools, reflecting pools and fountains in IA through SF-6.
- e. Landscaping.

3306 STREET YARD EXCEPTIONS IN SELECTED COMMERCIAL AREAS

- a. The Council may, by ordinance, designate selected locations within any LR, GR, CS, CS-1, or CH district within which no minimum front yard or street yard requirement shall apply, provided each such designated location complies with the following criteria:
  1. Comprises a recognizable grouping of two or more nonresidential uses developed as a neighborhood shopping or business center under prior regulations, within which the construction of new buildings meeting the street yard requirements of the district would be incompatible and uncharacteristic of existing buildings.
  2. Has at least half of the total lot area developed currently used for nonresidential uses.
  3. Has at least half of the total street frontage developed with structures not complying with current street yards.
- b. The boundary of each designated area shall be shown on the Zoning Map.

3307 REAR YARD OF THROUGH LOT

The minimum rear yard on a Through Lot shall be the same as would apply if the rear lot line were designated as the front line of the site.

3400 SITE COVERAGE REGULATIONS

3401 PURPOSE

Site coverage limitations are established to ensure that building coverage and impervious surface coverage of each site are compatible with the nature of uses allowable in each district, and with environmental objectives of the Comprehensive Plan, and to avoid overcrowding of sites with buildings and paved or impermeable surface materials.

3402 MEASUREMENT

- a. Building coverage of a lot shall be deemed the total horizontal area of all buildings and roofed or covered spaces on the site, expressed as a percent of total lot area. Eaves and roof overhangs extending not more than 2 feet from the supporting walls or members of a building, shall not be counted as building coverage. Where eaves or overhangs extend more than 2 feet from a building, the outermost 2 feet shall not be counted as coverage. Where required for passive energy design, additional eaves and roof overhangs shall not be counted as building coverage.

- b. Impervious coverage of a site shall include the total horizontal area of all buildings, roofed or covered spaces, paved surface areas, walkways and driveways, and any other site improvements or structures contributing to run-off greater than would occur on the site in its natural state. Pools are excluded from this calculation, including but not limited to swimming pools, reflecting pools, and fountains.
- c. Subsurface areas shall be excluded from building coverage and impervious coverage calculations.

3450 OPEN SPACE

3451 PURPOSE

Open space requirements are established to enhance the desirability of residential uses by ensuring the provision and maintenance of outdoor areas for landscaping, recreation, leisure activities, and open space.

3452 OPEN SPACE STANDARDS

Required open space shall comply with the following standards:

- a. Surfacing. Surfacing shall allow convenient use for outdoor activities. Such surface shall be any practicable combination of lawn, garden, flagstone, wood planking, concrete, asphalt, or other serviceable, dustfree surfacing.
- b. Location. Open space may be located anywhere on the same site as the dwelling units it services, provided that:
  - 1. Not more than 30 percent of the required open space may be located on a roof, balcony, or other open area located above ground level.
  - 2. Open space located in any required street yard shall not be counted as open space.
  - 3. Off-street parking and loading areas, driveways and service areas shall not be counted as open space.
- c. Size and Shape.
  - 1. An area of contiguous common open space shall contain at least 300 square feet, and shall have no dimension less than 15 feet.
  - 2. An area of contiguous private open space at ground level shall contain at least 100 square feet and shall have no dimension less than 10 feet. An area of private open space located

above ground level shall contain at least 50 square feet and shall have no dimension less than 5 feet.

3. When space is located on a roof, the area occupied by vents or other structures which do not enhance usability of the space shall not be counted toward the above dimension.
- d. Openness. No more than 50 percent of any ground level space shall be covered by fixed or immovable manmade obstructions, roofed areas, and balcony or building projections. Open space located above ground level may be covered, but shall have at least one exterior side open and unobstructed, except for incidental railings and balustrades.
- e. Maintenance. All required open space shall be permanently maintained.
- f. Type. Required open space may be either private or common open space, provided that for a use having 10 or more dwelling units a minimum of 25 percent of the required open space shall be common open space.

#### 3500 CONSTRUCTION IN FLOODPLAINS

- a. The construction of a building or parking facility in the 100-year floodplain may be permitted only in accordance with Chapter 9-10, Article IV of the Code.
- b. The construction of a building or parking facility in the 25-year floodplain shall be prohibited.

4000 SUPPLEMENTAL USE REGULATIONS

4010 TITLE AND PURPOSE

Sections 4000 through 4999 shall be known as the Supplemental Use Regulations. These provisions apply to specific use classifications in addition to regulations established by the District Regulations. In event of any conflict in provisions, the more restrictive provision shall apply unless specifically indicated to the contrary.

4150 TOWNHOUSE REGULATIONS

Townhouse residential use shall be subject to the following additional regulations:

- a. Each townhouse shall be located on an individual townhouse lot having a minimum width of 20 feet.
- b. Maximum residential density for townhouse use shall be 3600 square feet of site area per dwelling unit.
- c. There shall be at least 2 connected units in each development.
- d. Each townhouse lot shall include a private yard meeting the minimum district requirements for open space. A wall or solid fence, not less than five feet in height, shall be required on side lot lines where a required private yard adjoins such lot lines.
- e. No driveway which serves an individual townhouse only, and is located in the front yard of a townhouse lot shall exceed 50 percent of the lot width. A common driveway serving more than one unit may occupy more than 50 percent of the width of a lot, provided that said driveway shall not have more than two points of vehicular access to a public street, and shall not occupy more than 50 percent of the total required street yard area of all units served.

4175 HOME OCCUPATIONS

Home occupations accessory to residential use shall be subject to the following limitations:

- a. The home occupation shall be conducted entirely within a dwelling unit which is the bona fide residence of the practitioner(s), or entirely within only one accessory garage building (not to include a carport).
- b. No person other than a family member who resides in the dwelling unit participates in the home occupation on the premises.

- c. The residential character of the lot and dwelling shall be maintained. Neither the interior nor the exterior of the dwelling shall be structurally altered so as to require compliance with non-residential construction codes to accommodate the home occupation. No additional buildings shall be added on the property to accommodate the home occupation.
- d. The home occupation shall not generate customer related vehicular traffic in excess of three vehicles per twenty-four hour day in the residential neighborhood.
- e. No direct selling of merchandise shall occur on the premises.
- f. No equipment or materials associated with the home occupation shall be displayed or stored where visible from anywhere off the premises.
- g. The occupation shall not produce external noise, vibration, smoke, dust, odor, heat, glare, fumes, electrical interference or waste run-off outside the dwelling unit or on the property surrounding the dwelling unit.
- h. No vehicle used in connection with the home occupation which requires a commercial driver's license to operate shall be parked on the premises or on any street adjacent to the residentially zoned property.
- i. The home occupation shall not be advertised by any signs on the premises, nor shall the street address of the home occupation be advertised through signs, billboards, television, radio or newspapers.
- j. Nothing herein shall be construed to allow the following businesses or occupations as home occupations: animal hospitals, animal breeding, clinics, hospitals, contractor's yards, dancing schools, junk yards, restaurants, rental outlets, vehicle repair shops or massage parlors.

#### 4200 PUBLIC AND PRIVATE PRIMARY AND SECONDARY SCHOOLS

Public and Private Primary or Secondary Schools are subject to the following limitations:

- a. The site shall be located on a street having a paved width of not less than forty (40) feet at all points until it connects to another street with a paving width of at least forty (40) feet.
- b. Dwelling units used for residential purposes on the site, in excess of one unit, are subject to residential use classification zoning.

- c. At least one and a half (1½) off-street parking space shall be provided for each faculty and staff employee, and if a secondary school, one parking space for each three students anticipated to be enrolled in the eleventh (11th) and twelfth (12th) grades. The spaces must be located wholly on the site.
- d. Each public and private elementary or secondary school must provide off-street loading and unloading facilities for students to be located wholly on the premises (see Section 5732 Diagrams 4 and 5 for design).
- e. Refer to Compatibility Standards beginning with Section 4700 for additional requirements.

#### 4210 COLLEGE OR UNIVERSITY

A college or university is subject to the following limitations:

- a. The site shall be located on a street having a paved width of not less than forty (40) feet at all points until it connects to another street with a paving width of at least forty (40) feet.
- b. Dwelling units used for residential purposes on the site, in excess of one unit, are subject to residential use classification zoning.
- c. Parking and loading requirements shall be determined by the Director of Urban Transportation considering the mixed use of all facilities including the factors set forth in Section 5723c, but vehicle parking shall not be greater than the following:
  - 1. Dorms or other Residences -- one space for each two residents.
  - 2. Gymnasiums -- one space per four hundred (400) square feet of floor space.
  - 3. Administration and Offices -- one space per three hundred (300) square feet of floor space.
  - 4. Classroom Facilities -- one space per five hundred (500) square feet of floor space.
  - 5. The parking spaces must be located wholly on the site.
- d. Refer to Compatibility Standards beginning with Section 4700 for additional requirements.

4350 SEXUALLY ORIENTED COMMERCIAL ESTABLISHMENTS

a. Findings and Objectives. The City Council of the City of Austin, Texas, finds:

1. That the business establishments herein regulated (Adult Book Stores, Adult Film Stores, Adult Peep Shows, Adult Motion Picture Theatres and Massage Parlors) because of their very nature have serious objectionable operational characteristics and when several of them are concentrated under certain circumstances the result is a deleterious effect on both the area in which they are located and adjacent areas. The special regulations contained herein pertaining to these business establishments are necessary to insure that these adverse effects will not contribute to the blighting or downgrading of the neighborhood in which these businesses are located or of adjacent neighborhoods.
2. That the regulations contained herein neither have the purpose nor effect of imposing any content limitation on those who produce adult books, films or photographs or their ability to make them available to whom they desire and that these regulations neither have the purpose nor effect of restricting in any way the purpose or viewing of these materials by those who desire to view them.
3. That these regulations will not significantly affect any person's ability to engage in the business herein regulated and will not significantly affect any persons ability to frequent any of the businesses herein regulated because within the City of Austin there are sufficient business locations and/or buildings which are lawfully and reasonably available to accommodate any demand which exists for these businesses.

b. Definitions. For the purposes of this section, the following terms shall have the meanings respectively ascribed to them herein:

1. Adult Book Store. An establishment having as one of its principal business purposes, the selling of a stock in trade consisting of books, magazines, periodicals and/or other printed materials which are characterized by their emphasis on matter depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas (as defined below).
2. Adult Film Store. An establishment having as one of its principal business purposes the selling of a stock in trade consisting of films and/or photographs which are characterized by their emphasis on matter depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas (as defined below).



3. Adult Peep Show. An establishment having as one of its principal business purposes the showing of films or photographs characterized by an emphasis on matter depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas (as defined below) to patrons therein.
4. Adult Motion Picture Theatre. An establishment having as its principal business purpose the showing of films characterized by an emphasis on matter depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas (as defined below) to patrons therein.
5. Specified Sexual Activities.
  - (a) Human genitals in a state of sexual stimulation or arousal;
  - (b) Acts of human masturbation, sexual intercourse or sodomy;
  - (c) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.
6. Specified Anatomical Areas.
  - (a) Less than completely and opaquely covers: (1) human genitals, pubic region, (2) buttock, and (3) female breast below a point immediately above the top of the areola;
  - (b) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
7. Massage Parlor or Business. An establishment which has as its primary business purpose the treating of the superficial parts of a patron for medical, hygienic, exercise or relaxation purposes by rubbing, stroking, kneading, tapping, pounding, vibrating, or stimulating with hands, feet or any instrument. Provided however, that this definition shall not include any business establishment operated by or employing licensed psychologists, licensed physical therapists, licensed athletic trainers, licensed cosmetologists, or licensed barbers engaged in performing functions authorized under the license held; and provided further however that this definition shall not include any business or establishment operated by or employing licensed physicians or licensed chiropractors engaged in practicing the healing arts.
8. Regulated Use. Adult Book Store, Adult Film Store, Adult Peep Shows, Adult Motion Picture Theatre and Massage Parlor.

c. Location of Regulated Use. No regulated use shall be located in any NO, LO, GO, LR, or GR district, or located on any lot within one thousand (1,000) feet of any lot on which there is located another Regulated Use, or within one thousand (1,000) feet of any residential district, any lot on which there is located a church or public or private school, public park, playground, or residential unit. A Regulated Use, which on May 22, 1980, was located within one thousand (1,000) feet of another Regulated Use may continue to operate beyond May 22, 1980, as a nonconforming use under this Chapter. For purposes of this section, the following definitions shall apply:

1. Church. Any structure used principally as a place wherein persons regularly assemble for religious worship, including sanctuaries, chapels and cathedrals and on-site buildings adjacent thereto, such as parsonages, friaries, convents, fellowship halls, Sunday Schools and rectories.
2. School. Any structure wherein systematic instruction in useful branches of knowledge is given to children, the majority of whom are between the ages of five years and eighteen years old, by methods common to institutions of learning.

d. Regulated Uses-Applicability of Other Laws. All other provisions of these Zoning Regulations and all other city ordinances pertaining to any Regulated Use remain in full force and effect and the provisions of this Section are in addition to said provisions and ordinances.

#### 4510 CLUB OR LODGE

When located in any residential district, club or lodge use shall be subject to the following limitations, in addition to any limitations established by a Conditional Use Permit:

- a. Vehicular access shall be by way of a dedicated street with a minimum right-of-way width of 60 feet for the full block face.
- b. The club or lodge shall be operated as a non-profit organization.
- c. Food and beverage service, including alcoholic beverages, shall be limited to service incidental to the primary activity of the facility.

#### 4520 COMMUNITY RECREATION (COMMUNITY CLUB)

When located in any residential district, community recreation use shall be subject to the following limitations:

- a. Vehicular access shall be by way of a dedicated street with a minimum right-of-way width of 60 feet for the full block face.
- b. The use shall be operated as a non-profit organization.
- c. Food and beverage service, including alcoholic beverages, shall be limited to service incidental to the primary activity of the facility.

#### 4600 DRIVE-IN SERVICES SUBJECT TO SITE PLAN REVIEW

Each use having drive-in or drive through services, when located as defined below, shall be subject to the Site Plan Review Procedure. The Commission shall consider the impact of the drive-in service on adjacent uses, particularly those located in a more restrictive adjoining district, and shall endeavor to minimize potentially undesirable impacts of the drive-in service. Considerations may include traffic patterns, vehicular noise, and potential impairment of traffic flow on the street providing access to the use.

- a. Any drive-in service located in an NO, LO, GO, LR, or GR district and within 100 feet of any residential district.
- b. Any drive-in service located in a L, CBD, DMU, CS, CS-1, or any industrial district, and within 100 feet of any residential district or abutting any lot in an NO, LO or LR district.
- c. Any drive-in service abutting and having direct vehicular access from a freeway, expressway, or major arterial as classified by the Austin Metropolitan Area Roadway Plan.
- d. Any drive-in financial service, regardless of location.

#### 4700 COMPATIBILITY STANDARDS

Sections 4700 through 4740 shall be known as the Compatibility Standards.

##### 4701 PURPOSE

The Compatibility Standards are intended to preserve and protect single-family residential neighborhoods.

##### 4702 APPLICABILITY

- a. The Compatibility Standards shall apply to all SF-6 or less restrictive uses, as well as to those uses as described in the following subsection, when such uses are located on lots across the street from or adjoining a lot used or zoned as SF-5 or more restrictive uses or within 540 feet of a lot zoned or used SF-5 or more restrictive.

b. The Compatibility Standards shall specifically apply to these civic use types when located as described in subsection a.:

1. College or University;
2. Community Recreation;
3. Primary Educational Facilities;
4. Secondary Educational Facilities;
5. Day Care Services (Commercial); and
6. Religious Assembly

4705 SITE PLAN REQUIRED

- a. No use of property or construction thereon which is regulated by these Compatibility Standards shall be permitted unless a site plan is provided indicating that the requirements outlined in this Chapter and any other Code requirements including restrictions, waterway development permits, etc. have been met, and such site plan is approved. The site plan shall be accompanied by a map showing easements, waterways, and cross sections of the property demonstrating the proposed height of all structures.
- b. The site plan shall include a representation of land use within two hundred (200) feet of the site.
- c. The Site Plan review and approval process shall conform to procedures outlined in Sections 6100 through 6199 unless the proposed use is a conditional use, in which case the process shall conform to procedures outlined in Sections 6200 through 6299. If the conditions of two or more ordinances or Code provisions apply to the same area the more restrictive requirements shall always prevail, unless waived as provided by Section 4740.
- d. The site plan and other material necessary for site plan review shall be submitted for review and approval prior to issuance of building permits and granting of zoning change requests, or approval of conditional use permits, whichever occurs first. This site plan shall show all of the information outlined in Section 6130.

4710 TRAFFIC IMPACT ANALYSIS (TIA)

To maintain a neighborhood where people can live, work and move about in freedom from the hazards of motor traffic, it is desirable to minimize the level of traffic on local and collector streets serving predominantly single-family residential land uses.

A project that is regulated by these Compatibility Standards may also require a Traffic Impact Analysis as provided by the Traffic Impact Analysis Requirements in Sections 5500 through 5550.

4711 ACTIONS BASED ON THE RESULTS OF A TRAFFIC IMPACT ANALYSIS -  
RESIDENTIAL STREETS

In the event a Traffic Impact Analysis (TIA) is required pursuant to Sections 5500 through 5550, the following shall apply:

- a. On streets defined in Section 5511b.2 and on which the traffic volume is less than the undesirable operating level as defined in Section 5511, the Planning Commission and/or the City Council shall disapprove a project when the traffic generated by the project is shown to raise the operating levels to an undesirable operating level as defined in Section 5511 on any such street within the TIA study area or when the results of a TIA demonstrate that such project will endanger the public safety. It is the intention, however, that an applicant be allowed to modify a proposed site plan or remedy other traffic related impacts identified as part of the TIA in order to lower the projected traffic volume on streets affected by the project within the TIA study area below the undesirable operating level.
- b. On any such streets on which the traffic volume is in excess of or at an undesirable operating level, as defined in Section 5511, the project shall be disapproved unless the applicant demonstrates that his project will not increase the undesirable operating level to an unacceptable degree.

4715 HEIGHT AND SIDE SETBACKS REQUIREMENTS

4716 PURPOSE

The height requirements of these Compatibility Standards are intended to prevent structures significantly taller than single family residences from being constructed in close proximity to such homes. The requirements are designed to prevent tall structures for a reasonable distance from the yards of single family residences, to maintain the privacy and to allow the outdoor enjoyment typically provided in single family districts and neighborhoods.

4717 HEIGHT LIMITATIONS AND SIDE SETBACKS - LARGER SITES

This section shall apply to sites over 20,000 square feet gross area or over 100 feet of street frontage. Corner sites shall reference only the most major street type or if the streets are of the same type, the shorter side of the site shall be used.

- a. No structure shall be erected within twenty-five (25) feet of a property used or zoned as SF-5 or more restrictive, and
- b. No structure shall exceed two stories or thirty (30) feet in height within fifty (50) feet of a property used or zoned as SF-5 or more restrictive, and
- c. No structure shall exceed three stories or forty (40) feet in height within one hundred (100) feet of a property used or zoned as SF-5 or more restrictive, and
- d. Structures one hundred (100) to three hundred (300) feet from a property zoned as SF-5 or more restrictive may increase height (if permitted by the base district regulations) at the ratio of one foot in height for each ten feet of setback. For example, a building limited to a maximum of forty (40) feet in height at one-hundred (100) feet from a property zoned as SF-5 or more restrictive may be increased to a maximum height of sixty (60) feet at a point that is three-hundred (300) feet from the SF-5 or more restrictive property, and
- e. Structures three hundred (300) feet to five hundred forty (540) feet from a property zoned as SF-5 or more restrictive may increase height (if permitted by the base district regulations) at the ratio of one foot in height for each four feet of setback.

#### 4718 HEIGHT LIMITATIONS AND SIDE SETBACKS - SMALLER SITES

This section shall apply to sites 20,000 square feet or less and 100 feet of street frontage or less. Corner sites shall reference only the most major street type or if both streets are of the same type, the shorter side of the site shall be used.

- a. On sites with fifty (50) feet of street frontage or less no structure shall be erected within fifteen (15) feet of a property which is zoned or used as SF-5 or a more restrictive, and
- b. On sites over fifty (50) and up to one hundred (100) feet in street frontage the side setbacks shall be increased by approximately one foot for every five (5) feet of increase in the street property line, according to the following chart:

**Site Street Frontage****Setback off Adjacent  
Property Line**

50.01 to 52.50	15 feet
52.51 to 54.99	15.5 feet
55 to 57.50	16 feet
57.51 to 59.99	16.5 feet
60 to 62.50	17 feet
62.51 to 64.99	17.5 feet
65 to 67.50	18 feet
67.51 to 69.99	18.5 feet
70 to 72.50	19 feet
72.51 to 74.99	19.5 feet
75 to 77.50	20 feet
77.51 to 79.99	20.5 feet
80 to 82.50	21 feet
82.51 to 84.99	21.5 feet
85 to 87.5	22 feet
87.51 to 89.99	22.5 feet
90 to 92.50	23 feet
92.51 to 94.99	23.5 feet
95 to 97.50	24 feet
97.51 to 99.99	24.5 feet
100	25 feet

- c. No structure shall exceed two stories or thirty (30) feet in height within fifty (50) feet of a property used or zoned as SF-5 or more restrictive, and
- d. No structure shall exceed three stories or forty (40) feet in height within one hundred (100) feet of a property used or zoned as SF-5 or more restrictive, and
- e. Structures one hundred (100) to three hundred (300) feet from a property zoned as SF-5 or more restrictive may increase height (if permitted by the base district regulations) at the ratio of one foot in height for each ten feet of setback. For example, a building limited to a maximum of forty (40) feet in height at one-hundred (100) feet from a property zoned as SF-5 or more restrictive may be increased to a maximum height of sixty (60) feet at a point that is three-hundred (300) feet from the SF-5 or more restrictive property, and
- f. Structures three hundred (300) feet to five hundred-forty (540) feet from a property zoned as SF-5 or more restrictive may increase height (if permitted by the base district regulations) at the ratio of one foot in height for each four feet of setback.

**4720 SCALE AND CLUSTERING REQUIREMENTS**

4721 PURPOSE

It is the express intent of the scale and clustering requirements of these Compatibility Standards to create a human scale appropriate to residential uses. They are intended to prevent structures significantly more massive and/or antithetical to an appropriate human scale from being constructed in close proximity to single family districts.

Therefore, they shall allow for the creation of multi-family or other structures exhibiting a human scale and massing appropriate to residential uses.

4722 SCALE LIMITATIONS AND CLUSTERING STANDARDS

The following requirements shall apply, and the appropriateness of individual projects in fulfilling these requirements shall be determined by the Director of Planning, Planning Commission or City Council, as the case may be according to approval being sought.

The massing of the building(s) and appropriate scale relationships to each other can be accomplished in any of the following ways:

- a. Avoiding unreasonably continuous and unbroken wall planes, or
- b. The introduction of architectural elements or features that create a variety of scale relationships, or
- c. The use of materials that are consistent throughout the project, and that are human in scale, or
- d. The use of architectural elements that create the appearance or feeling of a more residential scale, or
- e. The use of architectural elements or details that are sympathetic to structures on adjoining properties, or
- f. Other design techniques or elements of design that will reasonably comply with the purpose stated in Section 4721.

Absent good reason, which may be evidenced by meritorious compliance with the above criteria, the first tier of structures in a multiple family or mixed use project subject to these Compatibility Standards shall be clustered in buildings no more than fifty (50) feet in width, measured on the side most parallel to the property line. The first tier of buildings shall be no more than two (2) units deep or sixty (60) feet deep. The structures must be ten (10) feet apart measured from face of wall to face of wall. This requirement shall not be applicable to colleges, universities, public or private primary or secondary educational facilities.



#### 4725 BUFFERING REQUIREMENTS

- a. Front building line setbacks shall be a minimum of twenty-five (25) feet from the right-of-way, provided that this requirement shall not apply when an SF-5 or more restrictive district adjoins a property subject to these Compatibility Standards but does not front on the same street.
- b. Landscaping shall be provided according to the provisions of Section 5600.
- c. Yards, fences, vegetative screening or berms shall be provided to screen adjacent SF-5 or more restrictive residential districts from views of off-street parking areas, mechanical equipment, storage areas and areas for refuse collection.

If fences are selected for screening, the height shall be restricted to six (6) feet unless otherwise specifically allowed in these Zoning Regulations.

The owner shall be responsible for the upkeep and maintenance of fences, berms and vegetative screening.

#### 4730 REGULATIONS TO PROTECT NATURAL FEATURES OF THE ENVIRONMENT

- a. Residential density and, where applicable, Floor Area Ratio shall be based on the Gross Site Area.
- b. Passive uses, e.g. parks, hike and bike trails, etc., shall be allowed in the one hundred year flood plain provided that the requirements of Chapter 9-10 of the Code are met and provided that any license agreements as may be necessary to place such uses in a dedicated drainage easement are obtained.

#### 4735 DESIGN REGULATIONS

- a. Signs, other than those allowed by Section 5400, shall be restricted to berm signs or signs placed flat against a building wall and shall meet the following criteria:
  1. Each project shall be permitted a maximum of two identification signs. The sign or signs must be located at the principal entrance or entrances.
  2. The maximum surface area of each sign may not exceed twenty-five (25) square feet.
  3. No sign shall be self-lit, but a sign may have an indirect lighting source.

4. Signs with moving parts and mobile (temporary) signs shall be prohibited.
- b. All exterior lighting shall be hooded or shielded so that the light source is not directly visible from adjacent SF-5 or more restrictive properties.
- c. The noise level of mechanical equipment shall not exceed 70 DBA at the property line.
- d. All dumpsters and any permanently placed refuse receptacles shall be located a minimum of twenty (20) feet from a property used or zoned as SF-5 or more restrictive. The location of and access to dumpsters or any other refuse receptacles shall comply with guidelines published by the Public Works Department. Location and access shall be reviewed and approved by the Public Works and Urban Transportation Departments.
- e. The use of highly reflective surfaces, such as reflective glass and reflective metal roofs, whose pitch is more than a run of seven (7) to a rise of twelve (12), shall be prohibited. This requirement shall not apply to solar panels and to copper or painted metal roofs.
- f. No intensive recreational use (e.g., swimming pool, tennis court, ball court, or playground) shall be permitted within fifty (50) feet of an adjoining SF-5 or more restricted use or district.
- g. No parking or driveways shall be permitted within twenty-five feet of a lot zoned or used as SF-5 or more restrictive unless the parking and driveway are located on a site less than one-hundred twenty-five (125) feet wide. Parking and driveway setbacks for sites less than 125 feet are subject to the restrictions on the following chart:

<u>Total Site Width</u>	<u>Avg. Parking Width</u>	<u>Setback for Parking</u>	<u>Setback for Driveways</u>
0 to 52.99'	45'	5'	0'
53 to 55.99'	46'	6'	1'
56 to 58.99'	47'	7'	2'
59 to 61.99'	48'	8'	3'
62 to 64.99'	49'	9'	4'
65 to 67.99'	50'	10'	5'
68 to 70.99'	51'	11'	6'
71 to 73.99'	52'	12'	7'
74 to 76.99'	53'	13'	8'
77 to 79.99'	54'	14'	9'
80 to 82.99'	55'	15'	10'

83 to 85.99'	56'	16'	11'
86 to 88.99'	57'	17'	12'
89 to 91.99'	58'	18'	13'
92 to 94.99'	59'	19'	14'
95 to 97.99'	60'	20'	15'
98 to 100.99'	61'	21'	16'
101 to 103.99'	62'	22'	17'
104 to 106.99'	63'	23'	18'
107 to 109.99'	64'	24'	19'
110 to 112.99'	65'	25'	20'
113 to 115.99'	67'	25'	21'
116 to 118.99'	69'	25'	22'
119 to 121.99'	71'	25'	23'
122 to 124.99'	73'	25'	24'

h. As a permitted or conditional use, a civic use as listed on Table 2900 subject to these Compatibility Standards may not construct parking lots and/or driveways to serve the use when either of the following occurs:

1. The construction requires the removal of a single family residential use, unless fifty percent (50%) or more of the property abutting the lot in question, excluding property which abuts the rear of the lot in question and excluding the property owned by the civic use and public rights-of-way, is zoned SF-6 or more restrictive district.
2. The civic use provides secondary access from the civic use through a lot, unless fifty percent (50%) or more of the property abutting the lot in question, excluding property which abuts the rear of the lot in question and excluding the property owned by the civic use and public rights-of-way, is zoned SF-6 or more restrictive district.

For Example:

A civic use owning lots 1-6, zoned as indicated below would, with a conditional use permit, be allowed to remove residential uses and construct a civic use structure with related parking and driveways on lots 1-6. It would not be allowed to remove a residential use and construct parking or driveways on Lot 10 or Lot 8.

SF-3 7 Residence	SF-3 1 Civic owner
<del>SF-3 8 Civic owner</del>	SF-3 2 Civic owner
SF-3 9 Residence	SF-3 3 Civic owner
<del>SF-3 10 Civic owner</del>	SF-3 4 Civic owner
MF-2 11	SF-3 5 Civic Owner
MF-2 12	SF-3 6 Civic Owner

#### 4740 RIGHT TO WAIVE SPECIFIC REQUIREMENTS

The Planning Commission or, upon appeal, the City Council shall have the right to waive one or more of the requirements discussed in this section with the exception of section 4711, Actions Based on the Results of a Traffic Impact Analysis. Height may be waived only if there is an existing intervening structure between a proposed structure subject to Sections 4717 or 4718 and the use or district which most restrictively limits the height of the proposed structure. In such case, the extent of the waiver will be limited to the height of the intervening building.

For all waivers the Planning Commission or City Council must find that eliminating one or more of the criteria is appropriate and will not harm the surrounding area.

5000 GENERAL REGULATIONS

5010 TITLE AND APPLICATION

Sections 5000 through 5999 shall be known as the General Regulations. These regulations apply to all districts and uses, except as specifically provided herein, in addition to other provisions of the Zoning Regulations.

5100 PRINCIPAL ROADWAY AREAS

5105 TITLE AND PURPOSES

Sections 5100 through 5119 shall be known as the Principal Roadway Area Regulations and are designed to achieve the following purposes:

- a. To protect the health and safety of the motoring public by facilitating safe access to and egress from properties situated along major, high-speed roadways.
- b. To protect the health and safety of the motoring public by limiting the proliferation of distracting signs along major, high-speed roadways.
- c. To enhance the beautification of the community through sign limitation and the use of landscaping along major roadways.

5106 APPLICATION OF REGULATIONS

- a. The Principal Roadway Area Regulations shall apply within Principal Roadway Areas as defined by Section 1306. In a Principal Roadway Area, notwithstanding the use district or interim zoning classification, no building or land shall be used and no building shall be erected or structurally altered in violation of the Principal Roadway Area Regulations. These regulations shall apply in addition to the other requirements of these Zoning Regulations. However, these regulations shall not apply to single-family or duplex residence uses or to agricultural uses.
- b. A tract of land which falls within the Principal Roadway Area, but which is without direct access to the principal roadway, shall not require site plan review as provided by Section 5107. Compliance with Sections 5109 (Sign Requirements) and 5110 (Landscaping) shall be required of all tracts lying within the Principal Roadway Area.
- c. Unless otherwise specifically provided by these Zoning Regulations, uses lawfully existing in a Principal Roadway Area prior to December 1, 1980, or prior to annexation into the corporate limits of the City of Austin or prior to designation of

the area as a Principal Roadway Area may be continued though not in conformance with the detailed requirements of the Principal Roadway Area Regulations. Such uses shall be considered lawfully noncomplying as to the Principal Roadway Area Regulations. However, such noncompliance shall not be expanded.

5107 SITE PLAN REQUIRED

- a. In a Principal Roadway Area, applications for zoning or rezoning on parcels or tracts having direct access to principal roadways shall require site plan review by the Planning Commission and approval by the City Council. Such site plan approval must be obtained prior to passage of the ordinance zoning or rezoning of the property and the approved site plan shall be made a part of such ordinance. Provided, however, that either the Planning Commission or City Council may require that the site plan be submitted for review at its public hearing of the zoning case if such information is deemed necessary to making a decision in such case. Such site plans shall conform to the Principal Roadway Area Regulations and shall contain the information required by Section 6130. Site plans for Conditional Use Permits issued pursuant to Section 6200 for sites within Principal Roadway Areas shall conform to these Principal Roadway Area Regulations.
- b. For property annexed into the City in a Principal Roadway Area, site plans shall not be required of the City of Austin to determine appropriate, permanent zoning. Site plans may be submitted by property owners in the area under consideration for permanent zoning, and such site plans, if submitted, shall be reviewed in accordance with the applicable provisions of Section 6100. Before any building permit shall be issued in a Principal Roadway Area, however, site plan review and approval shall always be required.
- c. In a Principal Roadway Area, the following shall require administrative review in accordance with the provisions of Section 6100 (see especially subsection 6150c):
  1. Applications for permits necessary to erect a new building;
  2. Applications for permits necessary to structurally alter an existing building where such structural alteration results in an expansion of at least one-thousand (1,000) square feet or of more than twenty-five percent (25%) of the area of the existing building;
  3. Applications for permits necessary to acquire access or additional access to a designated principal roadway;
  4. Applications for certificates of occupancy for changes in use which result in an increase in off-street parking requirements.

Such site plans shall conform to the Principal Roadway Area Regulations. Provided, however, that such administrative review and approval shall not be required for the issuance of permits for the improvements depicted by a valid site plan approved pursuant to subsection 5130 (a), subsection 5130(b), Section 6100 or Section 6200.

#### 5108 ACCESS AND EGRESS REQUIREMENTS

The following provisions shall apply to each use approved pursuant to Site Plan Review or a Conditional Use Permit, and to any parcel zoned or rezoned in a Principal Roadway Area:

- a. The minimum distance between driveways must be two hundred (200) feet, unless precluded by the location of existing driveways on adjacent properties or unless recommended by the Director of Urban Transportation and approved by the Planning Commission.
- b. Existing nonconforming driveways must be brought up to City standards, including driveway closing and curb construction where appropriate.
- c. Uses in Principal Roadway Areas along principal roadways which are without access roads and with average eighty-five (85) percentile speed of fifty (50) miles per hour must comply with these additional requirements:
  1. Right turn acceleration/deceleration lanes must be provided at each driveway which has an average daily volume of more than one-thousand (1,000) vehicles into each driveway and an average inbound peak hour volume of fifty (50) right turns or more. The design of the right turn lane must be approved by the Director of Urban Transportation.
  2. A continuous right turn lane may be required for adjacent properties where it is anticipated that the need for a right turn acceleration/deceleration lane meets the criteria outlined in (1) above. The design must be approved by the Director of Urban Transportation.

#### 5109 SIGN REQUIREMENTS

The following regulations shall apply within Principal Roadway Areas in addition to all other sign provisions of the Zoning Regulations, and in addition to the provisions of Chapter 13-13 of the Code.

- a. In Principal Roadway Areas the following requirements shall apply except to the extent they are in conflict with subsection b. below:

1. Freestanding on-premise business and property identification signs shall be restricted to a single freestanding sign per lot.
  2. Adjacent businesses located on individual lots may use the option of combining multiple individual freestanding signs into a single freestanding business sign. Such signs may be placed in any use district that allows freestanding signs, notwithstanding their partially off-premise character.
  3. Off-premise commercial signs and billboards are prohibited.
- b. In Principal Roadway Areas along roadways designated as Scenic Arterials the following requirements shall apply:
1. Off-premise commercial signs and billboards are prohibited.
  2. No on-premise signs within two hundred (200) feet of the right-of-way shall be permitted except for berm signs as outlined under subsection (b) (3), below, and signs placed flatwise against a building not to exceed seventy (70) percent of the total surface area permitted other on-premise signs elsewhere in the City in the same use district. No facade sign shall exceed the roof line of the building and no flashing or intermittently lighted signs shall be allowed.
  3. Berm signs shall be allowed; provided however, that there is only one berm sign per lot, the maximum allowed height does not exceed the square root of the distance from the main travelled way of the principal roadway, and the maximum allowed size does not exceed 0.7 square feet for every foot of frontage along the principal roadway, with a maximum size of two hundred-fifty (250) square feet allowed. Flashing or intermittently lighted berm signs shall be prohibited.

#### 5110 LANDSCAPING REQUIREMENTS

Landscaping in Principal Roadway Areas shall comply with this Section as well as with other landscaping requirements imposed by this Code.

- a. Where a tract lies within an SF-5 residence or less restrictive use district, and where the rear yard abuts a tract with (1) single-family residential or duplex residential uses, or (2) an SF3 Residence or more restrictive use district that extends fifty (50) feet or more from the common boundary, the rear yard landscaped area between such tracts shall conform to the requirements set out in Table I below.

Where a tract lies within an SF-5 residence or less restrictive use district, and where the side yard abuts a tract with (1)



single-family residential or duplex residential uses, and (2) an SF-3 residence or more restrictive use district, that extends fifty (50) feet or more from the common boundary, the side yard landscaped area between such tract shall also conform to the requirements set out in Table 1 below.

TABLE 1

<u>Use District</u>	<u>Minimum Width of Landscaped Area</u>
SF-5, SF-6, MF-1, MF-2	10 feet
MF-3, MF-4, MF-5, MF-6, MH, NO, LO	15 feet
LR, GO, GR, L, CBD, DMU, CS, CS-1, CH	25 feet
IP, LI, MI	50 feet

- b. Provided, however that with the approval of the Planning Commission and City Council, the rear yard and side yard landscaping required by subsection (a) above may conform to the requirements set out in Table 2 below.

Table 2

<u>Use District</u>	<u>Average Width of Landscaped Area</u>
SF-5, SF-6, MF-1, MF-2	10 feet
MF-3, MF-4, MF-5, MF-6, MH, NO, LO	15 feet
LR, GO, GR, CBD, L, DMU, CS, CS-1, CH	25 feet
IP, MI, LI,	50 feet

The total area of required landscaping along each common boundary shall be equivalent to the length of the boundary line times the average width.

- c. Notwithstanding any of the foregoing, the above landscaping requirements of this Section shall be adjusted consistently with the actual distance between the pertinent abutting property line and construction existing on the ground prior to December 1, 1980, or prior to the annexation of the subject property into the corporate limits of the City of Austin, where such actual distance is less than the required above. Such adjusted width shall be deemed as conforming with this Section.

5120 CAPITAL OF TEXAS HIGHWAY CORRIDOR

5125 TITLE AND PURPOSES

Sections 5120 through 5139 shall be known as the Capital of Texas Highway Corridor Regulations and are designed to achieve the following purposes:

- a. To maintain the rugged natural beauty of the eastern edge of the Texas hill country as currently exists on each side of the Capital of Texas Highway;
- b. To encourage development which is compatible and, wherever possible, enhances such natural beauty;
- c. To allow people of the City of Austin to be able to live, work and enjoy recreation within the area without reducing its natural beauty;
- d. To encourage traffic to flow along the Capital of Texas Highway safely and efficiently;
- e. To preserve the environment by providing clean air, clean water and greenbelts of natural vegetation and wildlife;
- f. To preserve the scenic character of the Capital of Texas Highway Corridor and, where possible, the scenic vistas outlined in the 1980 Capital of Texas Highway Corridor Study;
- g. To encourage low-density development as appropriate in the Barton Creek and Lake Austin watersheds which encompass most of the Capital of Texas Highway;
- h. To encourage Planned Unit Developments (PUDs) of varying uses on one site; and
- i. To accomplish the foregoing goals through thoughtful and cooperative planning in order to benefit all the people of Austin.

#### 5126 APPLICATION OF REGULATIONS

Unless otherwise provided by these Capital of Texas Highway Corridor Regulations, in the Capital of Texas Highway Corridor as defined by Section 1176, notwithstanding the use district or interim zoning classification, no building or land shall be used and no building shall be erected or structurally altered in violation of these regulations. The provisions hereof shall apply in addition to the other requirements of this Code. In case of conflict therewith, the most restrictive provisions shall govern except as otherwise expressly provided in these Capital of Texas Highway Corridor Regulations.

#### 5127 SITE PLAN REQUIRED

- a. In the Capital of Texas Highway Corridor, applications for zoning or rezoning shall require site plan review by the Planning Commission and approval by the City Council. Such site plan approval must be obtained prior to passage of the ordinance

zoning or rezoning the property and the approved site plan shall be made part of such ordinance. Such site plans shall conform to these Capital of Texas Highway Corridor Regulations. Site plans for Conditional Use Permits issued pursuant to Section 6200 for sites within the Capital of Texas Highway Corridor shall conform to these Capital of Texas Highway Corridor Regulations.

- b. No permit for the erection of a structure in the Capital of Texas Highway Corridor shall be granted unless a site plan is approved under the Site Plan Review procedure of Section 6100, except in cases where such structure has already been approved as part of a site plan approved under these Capital of Texas Highway Corridor Regulations through the zoning, rezoning or conditional use permit procedure.
- c. Site plans for zoning or rezoning and site plans required under subsection 5127b above, shall contain the information required by Section 6130; and site plans for Conditional Use Permits shall contain the information required for Conditional Use Permit site plans; and, in addition, all of the abovementioned site plans shall contain the following information:
  - 1. The location of all improvements on the site plan shall be specific and no alteration or movement of proposed improvements in excess of ten feet (10') shall be permitted without the approval of the City Council.
  - 2. The site plan shall include a tree survey. A construction line shall be delineated on each site plan submitted for City approval. This limit line shall include all building, parking, and vehicular use areas, and all areas of required cut and fill. Within this area, the requirements of Section 5600 (Landscaping) shall be shown. Outside this limit line, no tree survey shall be required and the project developer shall be required to leave undisturbed all areas of native vegetation including trees, shrubs, and understory vegetation to a reasonable and feasible extent.
  - 3. The site plan shall illustrate the location of all trash receptacles, air conditioning and heating equipment, loading areas, parking areas, lighting and an indication of the methods to be used to screen all such areas from all public views. If air conditioning and heating units must be located on roofs of structures, they shall be screened from view, both horizontally and vertically.
  - 4. The site plan shall illustrate the height calculation as provided for in Section 5129 by showing the cross sections required to demonstrate that each building complies with height limitations.

5128 LAND USE AND DENSITY

All land and buildings within the Capital of Texas Highway Corridor shall comply with the following standards for use and density:

a. Land Use.

1. Generally. No use which is not permitted under "GR" Community Commercial District as defined in Section 2500, shall be permitted within the Capital of Texas Highway Corridor. Permitted uses under Sections 2475 (Neighborhood Commercial District - "LR") and 2500 (Community Commercial District - "GR") may be considered for approval within the Capital of Texas Highway Corridor only as provided by subsections 2. and 3. below.
2. Retail Uses at Intersections. Permitted uses under Section 2475 ("LR") and 2500 ("GR") may be allowed on lots having frontage on both the Capital of Texas Highway and the following roads (Also see Section 5136a.)
  - (a) MoPac (Loop 1)
  - (b) U.S. 183
  - (c) F.M. 2222, and
  - (d) U.S. 290.
3. Retail Uses in Mixed Use Developments. Uses permitted in "GR" and "LR" Districts may be allowed in mixed use developments or as part of a Planned Unit Development (PUD) with these provisions:
  - (a) In any project having more than 80,000 but less than 150,000 total square feet of building floor area, up to three (3) percent of such total area may be for "LR" uses and seven (7) percent of such total area may be in "GR" uses or ten (10) percent of such total area may be in "LR" uses if no "GR" uses are included in such project.
  - (b) In any project having 150,000 total square feet of building floor area or greater, up to five (5) percent of such total area may be for "LR" uses and ten (10) percent of such total area may be in "GR" uses or fifteen (15) percent of such total area may be in "LR" uses if no "GR" uses are included in such projects.
  - (c) Any retail area allowed by the foregoing provisions of this subsection 5128a.3. shall be included within the principal building or buildings and never shall such "GR" and "LR" be allowed in separate buildings constructed solely for such uses.

- b. Density. The following density limitations shall apply for the following types of development:

1. Residential

- (a) Multifamily, Condominium, Townhouse and Attached Residential Development: No multifamily, condominium, townhouse or attached residential development shall contain more than ten (10) dwelling units per acre.
- (b) Single-family Detached: No single-family detached development shall contain more than two and one half (2½) dwelling units per acre.

2. Office, Commercial and Retail. All office, commercial, retail and all development other than residential shall be subject to an overall .34 to 1. Floor to Area Ratio limitation (exclusive of parking structures and atriums). The limitations on Floor to Area Ratios by slope gradients shall be as follows:

<u>Slope Gradient of Land</u>	<u>Floor to Area Ratio</u>
0-15%	.34 to 1.
15-25%	.22 to 1.
greater than 25%	.11 to 1.

Provided, however, no buildings shall be constructed on a slope gradient greater than 25% but the owner of such property shall be allowed to include such property in the overall computation of density for the entire tract at the specified Floor Area Ratio. Floor Area Ratio shall be defined as the ratio of gross floor area to gross site area and may be averaged across the different slope gradients across the site.

5129 SITE DEVELOPMENT REGULATIONS.

All land and buildings within the Capital of Texas Highway Corridor shall comply with the following site requirements:

- a. Height. In the Capital of Texas Highway Corridor the height of buildings shall be limited but the permitted height may increase as the distance from the right-of-way increases. No building shall be higher than the extension of a straight line beginning at the centerline of the Capital of Texas Highway and rising at a twelve degree angle from the horizontal at the centerline. The line shall be extended from the point along the Capital of Texas Highway centerline which is closest to the proposed building. Building height shall be measured from natural grade. Provided,

however, (1) in no event shall any building be in excess of sixty-three feet (63') in height, (2) any building in excess of forty feet (40') in height shall be at least three hundred feet (300') from the nearest single family, duplex or condominium residence, and (3) no tract shall be denied a building height of less than forty feet (40') regardless of the grade level of the tract and notwithstanding any other height limitation as may be provided for by this Chapter. No additional height than that provided by this Section shall be allowed for rooftop improvements of any type, including but not limited to penthouses, parapet walls, heating equipment, and air conditioning equipment.

- b. Building Setback. No building shall be constructed within seventy-five (75) feet of the Capital of Texas Highway right-of-way.
- c. Impervious Cover. Any property within the Capital of Texas Highway Corridor and not covered or exempt from a City of Austin watershed ordinance shall be limited to thirty-five (35) percent impervious cover on the site.
- d. Underground Utilities. All on-site utilities shall be located underground unless determined by the utility otherwise.
- e. Mirrored Glass. No mirrored glass shall be used in developments within the Capital of Texas Highway Corridor.

#### 5130 LANDSCAPE REQUIREMENTS.

- a. Cuts and Fills. All cuts and fills on land within the Capital of Texas Highway Corridor shall be restored to blend with the natural character of the land. A majority of the area shall be revegetated with native trees, shrubs and grasses. All developments within the Capital of Texas Highway Corridor must comply with Landscaping Regulations of Section 5600 and Chapter 9-12 (Tree Ordinance) of the Code.
- b. Trees. For each tree removed with a trunk greater in diameter than six inches (6"), (measured at a point four and one half feet above ground level), of live oak, spanish oak, cedar elm, shin oak, bald cypress, post oak, pecan, bur oak, or black walnut, and for small native trees such as texas madrone, black cherry, texas mountain laurel, evergreen sumac, mexican buckeye, flameleaf sumac, or texas persimmon the developer must compensate by planting a sufficient amount of native species of vegetation in appropriate locations that will reasonably compensate for the loss of such trees.
- c. Tree Maintenance. For all trees shown on a site plan, it shall be demonstrated that such trees will have a reasonable chance of survival. Such demonstration shall consist of showing that (1) a

minimum of 50 percent of the dripline area will be kept at grade and in an existing natural state or in a landscape area, or (2) an aeration and irrigation system will be installed which, in the opinion of the City of Austin arborist, will be sufficient to keep such trees alive.

- d. Highway Vegetative Buffer. Except for clearing necessary to provide utilities and access to the site, no clearing of vegetation shall be permitted within twenty-five feet (25') of the right-of-way of the Capital of Texas Highway.
- e. Forty Percent of Site in Natural State. At least forty percent (40%) of the site shall be left in a natural state with at least one half of such forty percent (40%) area located between the buildings and the Capital of Texas Highway right-of-way. Land located within parking medians and the twenty-five foot (25') buffer strip along the highway right-of-way may count toward such forty percent (40%) requirement. In the event that the forty percent (40%) requirement conflicts with the requirements of another applicable ordinance, such conflict shall be resolved with the minimum departure from the terms hereof and approved by the Planning Commission and City Council.
- f. Landscaping in Parking Areas. All parking areas shall use existing vegetation or installed landscape to screen pavement and vehicles from the Capital of Texas Highway and from adjacent properties. This screening shall include dense massing of trees in addition to existing native understory vegetation or shrubs massing or berms. Topographic changes shall be considered in reviewing this provision.

A median of not less than ten feet in width, containing existing native trees, or dense massing of installed trees, shall be placed between each parking bay. A "parking bay" is defined as a parking area serviced by one drive and back-up space. This could include a single bay, with two rows of parking with a common drive.

Alternative compliance may be allowed as provided by Section 5635.

#### 5131 SIGNS AND LIGHTING

All provisions of the Code regarding signs shall apply to all signs within the Capital of Texas Highway Corridor. In addition, no internal lighting of signs shall be permitted. Neon or flashing signs are prohibited. All spotlights on signs shall be hidden from view. No signs on posts or poles or signs on buildings shall be permitted. All signs shall be berm or monument signs, which except for the letters and numbers shall be constructed of materials which are compatible with the surrounding environment. Letters on signs may not be more than two colors. All exterior lighting shall be oriented away from adjacent roadways and property and shall use

equipment as appropriate to shield such lighting from adjacent roadways and property. Floodlighting of buildings shall be prohibited.

5132 TRAFFIC REQUIREMENTS.

a. Traffic Impact Analysis. Vehicle access to development along the Capital of Texas Highway Corridor shall be from intersecting or abutting streets including joint use driveways and access easements wherever feasible rather than access directly from the highway. Where a development is proposed which would generate approximately 650 or more trips per day with access to a local or collector street with less than forty feet of pavement width, 1,000 or more trips per day with access to a local or collector street with forty or more feet of pavement width, and/or 2,000 or more trips per day with access to an arterial street, a Traffic Impact Analysis shall be submitted to the Director of Urban Transportation for review and comment. This submission, when required, shall occur simultaneously with the submission of the required material for applications for zoning, conditional use permits, or site plan approval under the Principal Roadway Area Regulations of Section 5100. For particular land uses and site locations, the Director of Urban Transportation may request traffic impact information for projects generating less than the above described movements per day. Based upon the findings of the analysis, the applicant may be required to dedicate additional right-of-way, fund intersection and traffic signal improvements, re-route traffic or take other measures. The findings of a Traffic Impact Analysis may also be used as the basis for denial of an application. The following is also required.

1. Where feasible and appropriate, as indicated by the Traffic Impact Analysis, acceleration/deceleration lanes and additional right-of-way may be required for tracts at all intersections.
2. No more than two access points shall be permitted from any one tract onto the Capital of Texas Highway and joint use driveways shall be provided whenever reasonably practical. No direct access to the roadway shall be permitted where adequate access is available to intersecting or abutting streets.

b. Intersections. Improvements to the intersections with the Capital of Texas Highway at the following streets may be required when justified by the Traffic Impact Analysis:

1. Walsh Tarlton
2. West Lake High Drive--Scottish Woods Trail
3. Lost Creek Boulevard
4. Pascal Lane



5. Arterial #7
6. West Lake Drive
7. Cedar Street
8. Courtyard Drive--Shepherd Mountain Drive
9. Lakewood Drive
10. Spicewood Springs Road
11. Great Hills Trail
12. Future Street to West between North Lamar & Barton Creek
13. Stoneridge Drive

5133 CAPITAL OF TEXAS HIGHWAY CORRIDOR MASTER FILE

The Planning Department of the City of Austin shall compile and maintain a current Master File of the Capital of Texas Highway Corridor consisting of the following:

- a. A master contour map of all of the Capital of Texas Highway Corridor indicating all proposed and approved land uses.
- b. A master file of all site plans for the Capital of Texas Highway Corridor including all submitted site plans whether ultimately approved, disapproved or withdrawn.

Immediately prior to the consideration of any project located within the Capital of Texas Highway Corridor by the Planning Commission or City Council, the Planning Department shall present a summary of the current status of the Master File. In addition, at least ten (10) days prior to the Planning Commission public hearing on a proposed zoning change or conditional use permit within the Capital of Texas Highway Corridor, the Planning Department shall notify the two neighborhood groups that are closest to the proposed site and have registered with the Planning Department.

5134 FACTORS TO BE CONSIDERED FOR SITE PLAN REVIEW.

Factors to be Considered. In addition to compliance with the specific requirements of these Capital of Texas Highway Corridor Regulations and all other applicable Code provisions, the Planning Commission and City Council or Planning Director, as the case may be, shall take into consideration the following factors in reviewing and approving site plans submitted hereunder. Failure to comply with one or more of the following factors shall be ground for denial of a site plan:

- a. The compatibility of the proposed project upon the existing land uses surrounding the project such as building and parking setbacks, buffering, landscaping and traffic patterns; and
- b. The traffic impact of the proposed project upon the Corridor, the proposed methods of ingress and egress to the project; and

- c. The impact, if any, the proposed use will have on the scenic vistas described in the 1980 **Capital of Texas Highway Corridor Study**. The applicant may be required to work with staff to alleviate or lessen the impact.

#### 5135 WAIVERS.

An applicant presenting a site plan for approval as required by these Capital of Texas Highway Corridor Regulations may request in writing a waiver from one or more of the specific requirements. The City Council may approve any waiver to the minimum extent required by the peculiarities of a specific parcel in order to facilitate flexible planning and the more appropriate use of such parcel. The applicant for any such waiver shall have the burden of showing that the proposed project, with such waiver(s) granted, will be as good or better than a project developed under these standards in terms of environmental protection, aesthetic enhancement, land use compatibility and traffic considerations. The City Council shall receive the Planning Commission's recommendation concerned with any waiver sought by an applicant. All waivers granted shall be listed on the site plan.

#### 5136 EXEMPTIONS.

- a. The provisions of these Capital of Texas Highway Corridor Regulations shall not apply to any lot having frontage on both the Capital of Texas Highway and any other State Highway except where such highways have been designated scenic arterials as defined in Section 1307.
- b. The provisions of these Capital of Texas Highway Corridor Regulations shall not apply to any property for which a site plan has been approved on or before April 1, 1984 by the Planning Commission or the City Council or by the Planning Department according to procedures for administrative approval of site plans set forth in Article VI of Chapter 13-2. Modifications to such approved or other approved site plans which include moving a structure more than twenty-five feet or increasing the height or square footage of a building are not exempted herefrom, unless a zoning change has been granted allowing such changes. Mere application for zoning or a building permit prior to the effective date of these Capital of Texas Highway Corridor Regulations shall not, in and of itself, exempt property from the provisions hereof.

#### 5200 TEMPORARY USES

##### 5210 TITLE AND PURPOSE

Sections 5200 through 5299 shall be known as the Temporary Use Regulations. Provisions authorizing temporary uses are intended to permit occasional, temporary uses and activities when consistent with

the purposes of the Zoning Regulations and when compatible with other nearby uses.

#### 5230 TEMPORARY USE TYPES

The following types of temporary use may be authorized, subject to specific limitations herein and such additional conditions as may be established by the Building Official.

- a. Model homes or apartments and related real estate sales and display activities located within the subdivision or residential development to which they pertain.
- b. New subdivision sales offices located within the subdivision but not closer than 200 feet to an existing dwelling not a part of the new subdivision.
- c. A temporary sales office for use in development of a new subdivision may be established and operated within the subdivision for a period not to exceed four years from the date of the first construction permit issued in the subdivision or until 95 percent of the lots therein are sold, whichever occurs first; provided that extension of time may be granted by the Board of Adjustment on application duly made for a special exception or temporary permit to continue such temporary use.
- d. Outdoor public, religious, patriotic, or historic assemblies, displays, or exhibits, including festivals, benefits, fundraising events or similar uses which typically attract a mass audience.
  1. Assemblages up to 50 persons shall require a minimum use district classification of SF-4.
  2. Assemblages of 50 or more persons shall require a minimum use district classification of LO.
  3. Displays or exhibits of crafts shall require a minimum use district classification of GR.
- e. Circuses, carnivals, rodeos, fairs, or similar transient amusement or recreational activities not closer than 200 feet to an existing dwelling shall require a minimum use district classification of CS.
- f. Outdoor art and craft shows and exhibits shall require a minimum use district classification of LR.
- g. Christmas tree sales lots.
- h. One house trailer or mobile home to serve as a dwelling may be permitted on a construction site during construction, upon

application to the Building Official setting out the need therefor, to provide security against theft or vandalism of materials or equipment or other property left on the site during nighttime. This permit shall allow no more than one such dwelling per construction site; and shall run for no more than six months; and shall be renewable, upon application, for no more than six months. Denial of such a permit shall be appealable to the Board of Adjustment.

- i. Outdoor special sales, including swap meets, flea markets, parking lot sales, or similar activities, limited to locations in commercial or industrial districts, and when operated not more than 3 days in the same week or more than 5 days in the same month.
- j. Temporary use of mobile trailer units or similar portable structures for nonresidential uses, located in districts where the use is a permitted use, and limited to a maximum period of 6 months.
- k. Seasonal retail sale of agricultural or horticultural products raised or produced off the premises, when located not closer than 200 feet to an existing dwelling shall require a minimum use district classification of LR.
- l. Seasonal day care providing temporary day care for short periods of time. For example, the shopping period between Thanksgiving and Christmas is such a time. Hours of operation are to be limited to 8 hours a day and a maximum of 30 days per year.
- m. "Mothers Day Out" Day Care - Temporary day care for limited care of children. Limited to a maximum of 8 hours per day and/or 12 hours per week. Different from Seasonal Day Care.
- n. Additional temporary uses determined to be similar to the foregoing by the Building Official.

#### 5235 TEMPORARY SIGNS RELATING TO TEMPORARY USES

To further the public interest in traffic safety and aesthetics, mobile temporary signs shall be:

- 1. A maximum of 32 square feet.
- 2. Setback a minimum of 10 feet from the property line.
- 3. No mobile temporary sign shall be permitted for a period of time greater than 30 days, unless a renewal permit is obtained. No more than one renewal permit per sign shall be allowed.

4. All temporary signs shall be illegal two years after the date these Zoning Regulations are adopted.
5. Mobile temporary signs are signs which are not permanently grounded.

5240 REQUIRED CONDITIONS OF TEMPORARY USE

- a. Each site occupied by a temporary use shall be left free of debris, litter, or other evidence of temporary use upon completion or removal of the use.
- b. The Building Official may establish such additional conditions as he deems necessary to ensure land use compatibility and to minimize potential impacts on nearby uses, including but not limited to time and frequency of operation, temporary arrangements for parking and traffic circulation, requirements for screening or enclosure, and guarantees for site restoration and cleanup following temporary use.

5250 DETERMINATIONS

The Building Official may authorize a temporary use only when, in his judgement, the following determinations can be made:

- a. The temporary use will not impair the normal, safe, and effective operation of a permanent use on the same site.
- b. The temporary use will be compatible with nearby uses in the general vicinity.
- c. The temporary use will not impact public health, safety, or convenience, or create traffic hazards or congestion, or otherwise interrupt or interfere with the normal conduct of uses and activities in the vicinity.
- d. Complaints may be referenced by the Building Official to the Planning Commission to determine if Conditional Use Permits are needed for a particular use.

5260 APPLICATION AND AUTHORIZATION

- a. Application to conduct a temporary use shall be made to the Building Official, and shall include a diagram and description of the use, and such additional information as the Building Official may require to evaluate the use and to make the determinations required by these provisions.
- b. Application shall be made not less than 10 days prior to the requested date for commencement of the temporary use, and the Building Official shall make a determination whether to approve,

approve conditionally, or to deny the temporary use within 10 days after the date of application.

- c. Authorization of a temporary use shall be by issuance of a building permit, a certificate of occupancy, or a temporary use permit.
- d. A temporary use authorized pursuant to these provisions shall not be exempted or relieved from compliance with any other ordinance, law, permit, or license applicable to such use.

#### 5270 EXTENSION

Authorization for a temporary use may be renewed by the Building Official, upon request of the applicant, provided temporary use shall not be authorized or continued for a period of more than one year except upon a new application and authorization. No more than one renewal permit per temporary mobile sign shall be granted, and shall be limited to a period of time not greater than 30 days.

#### 5280 REPORTS BY THE BUILDING OFFICIAL

A report by the Building Official shall be made to the Planning Commission on a quarterly basis. This report shall inform the Planning Commission of the number and kinds and length of time temporary uses are applied for. The Building Official will recommend appropriate amendments to resolve problem areas of this section known as Temporary Uses.

#### 5300 ACCESSORY USE REGULATIONS

##### 5305 TITLE AND PURPOSE

Sections 5300 through 5399 shall be known as the Accessory Use Regulations. The purpose of these provisions is to establish the relationship among principal and accessory uses and to establish provisions governing the conduct of accessory uses.

##### 5310 PRINCIPAL USE INCLUDES ACCESSORY USE

Principal uses specified as permitted uses or conditional uses for a district by the District Regulations shall be deemed to include accessory uses and activities identified by these regulations and such other accessory uses that are necessarily and customarily associated with and are appropriate, incidental, and subordinate to such principal uses. Accessory uses shall be subject to the same regulations as apply to principal uses in each district, except as otherwise provided in these regulations.